

R. Acheson (R.)
Free Parliaments:

OR, AN

ARGUMENT

ON THEIR

CONSTITUTION;

PROVING

Some of their Powers to be *Independant*.

To which is added, An

APPENDIX,

CONTAINING

Several Original LETTERS and PAPERS,
which passed between the Court of *Hanover*,
and a Gentleman at *London*, in the Years
1713 and 1714, touching the Right of the
DUKE OF CAMBRIDGE to Reside in *England*,
and Sit in Parliament.

By the AUTHOR of the

BRITANNIC CONSTITUTION.

Acheson

L O N D O N:

Printed for D. BROWNE, at the *Black Swan*
without *Temple-Bar*. M.DCC.XXXI.

THE
OF
A
ON THE
CONSTITUTION
PROVING

Some of their Powers to be
To which is added

A
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Second Edition
and a General Index
1713 and 1714, containing
List of Candidates for the
and the

Printed at the
BRITISH MUSEUM

LONDON:
Printed by D. Browne, at the Black Swan
without Temple-Bar, 1800.



To Her GRACE,

The Dutchess-Dowager of

MARLBOROUGH.

May it please your GRACE,



HE Relation You bear
to the Duke of MARL-
BOROUGH, engages me
to pray Your Grace's
Patronage of the TREATISE here
Inscribed.

THE Military Atchievements of
His Grace, can never fail to impart
Honour to all his Descendants, and
Pleasure to all such Patriots, as value
their Religion, or the Liberties of
their Country. For when it is re-
member'd, That His Grace, who, of
a Subject, was, undoubtedly, the

DEDICATION.

Greatest Hero this Nation ever produced, had, by his Victories, Disabled the Dangerous Enemy, from Assisting Those who endeavoured to Disappoint the *Hanover* Succession, at the very time when that Enemy's Assistance would have been most Effectual ; Those Patriots must, in that Contemplation, think of his Victories, with the highest and most pleasing Estimation. This Fruit, therefore, of our Hero's Efforts, will be a Laurel to crown his Successes, that can never fade, so long as *Britons* retain Vertue, to admire the glorious Enterprizes of the Incomparable MARLBOROUGH. I am,

11 JY 63

May it please Your GRACE,

YOUR GRACE'S

Most Faithful and

*Inner-
Temple.*

Most Obedient Servant,

Roger Acherley.



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II JY 63

Free



Free Parliaments :
OR, THE
HISTORY
OF THEIR
CONSTITUTION, &c.



THE Parliament consisting of the Three Estates of King, Lords and Commons ; I have confined this Discourse to Matters only concerning the Two Estates of Lords and Commons : Because, as to the First and most Excellent Estate, the aptest Similitude of its Power and Extent is the Ocean, where a Man in the midst can see nothing but Sea ; and therefore his greatest Difficulty is, to find out, and sail to its Bounds. But as to the Two

B

Estates

2 *Free Parliaments, &c.*

Eftates of Lords and Commons, I fhall confider,

1. The Election and Appointment of the Lords, or Second Eftate, and their Privileges.
 2. The Election of the Third Eftate, or Houfe of Commons, and their Freedom, Independency, and Privileges.
 3. The Violations of Free Parliaments before the *Revolution*; and the many Laws made, fince that time, to Reftore and Secure a Free Houfe of Commons.
 4. The Reasons why a further Law is yet neceffary, to fupply the Defect of Evidence, and to make Effectual the Laws already made, in order to render Free the Houfe of Commons.
1. *As to the Firft Consideration*, touching the Election and Creation of the Second Eftate, there can be no doubt but that in the Firft Formation or Origination of the *Britannic* Conftitution, the Election of the Second Eftate, or Lords, was appropriated to, and vefted in the Supreme Governor, the King: But that when the King had fo elected and appointed the Lords, they were
to

to derive their *Authority* from the Constitution, and be Trustees in General for the People and Nation, and to act concurrently with (but as freely as) the other two Estates, according to their Privileges, which are fundamental.

2. *And as to the Election* of the Third Estate, or House of Commons, there can be no Doubt but that the Election of Members to serve in the House of Commons, should be, and was vested in the People, in the several Parts of the Nation, from whom they were, in, and by, their Election, to derive all their *Power, Authority, and Independency*, to act concurrently with (but as freely as) the other Two Estates, according to their Privileges, which are also fundamental.

And as to the Powers and Privileges which were to be, and were appropriated in Common to both those Two Estates, I think I may wave them, and first assert, That because the House of Commons was (in Conjunction with the Lords) to have the whole Power of the first Devising Laws; and since the Commons were to be trusted with the Power of giving and granting Aids and Taxes, so as such Gifts be consented to by the Lords in Parliament assembled, and were also to be trusted with

the Power and Authority to expose the Peoples Grievances, and to Prosecute, for proper Remedies, *They* were therefore to be the Refuge of the People, and to be *Judges* of their State and Condition : And since the Redress of National Grievances, was to take, or hath, in most Cases, taken its *first Rise* and Commencement in the House of Commons ; and since, for those Reasons, the Elections of the Commoners were to be *Free*, and the Crown totally *Excluded* ; and since, for the better excluding all Influences on Members, after their Elections, *They* were to have and take Wages from their Electors, as Masters, from whom *They* derive their Power and Authority, and from them only, and from none other : Therefore, from these Premises, it may be argued, That the Exclusion of all Influences, either on the Electors or Elected, ought to be *Total*. Because *Wages* implies the Capacities of Master and Servant ; for the *Servant* must serve Those, from whom he accepts the Hire. However, this Provision restrains not Members from accepting Publick Rewards for eminent Services done out of Parliament : But for Services done in Parliament, *They* may not, in any sort, take *Rewards*, and above all, *not Private ones* ; for Whoever takes Rewards, submits to the Service the Giver imposes.

All which Properties of the Commons, and their Shares in the Government concurrently with the other Two Estates, are distinctly stated in the *Britannic Constitution*.

It must therefore be observed, That the Original Constituents of Parliament omitted to provide any Remedy, or Means, for the Electors, to require from their Representatives any *Account* of their Demeanor. All that the Constitution provided and reserved to the Electors, was, *frequent New Elections*; in which the Electors might, in their Elections, *treat* Offenders with a public Censure, by rejecting them, and chusing better in their Room; and by that Means only, to express their *Resentment*.

But in this Place, and before I proceed, I may observe, That in the Original Writs of Summons, (a) there appears a fuller *Expression* of the Constitution of the House of Commons, than is to be found in any other Evidence: For the King therein Declares, "That He, considering the in-
"superable and urgent Businesses, concern-
"ing his Government, and the State of the
"Nation, had ordered a Parliament to be
"holden (at such a Time and Place) to

(a) 1 *Institute*. 10.

“ Confer and Treat about the same, with
 “ his People ; His Majesty therefore com-
 “ mands the Sheriff to make Proclamation
 “ of such his Resolution, and to cause Two
 “ Knights for the Shire, and Two Citizens
 “ for each City, and Two Burgeffes for
 “ each Borough within his County, to be
 “ elected, *Ad faciendum ea*, (i. e. to make,
 “ and consent to the making) such Things,
 “ as by the Common Council of England
 “ shall be agreed on ; so that, for want of
 “ *this sort of Power*, the National Business
 “ may not remain undone.

*From the Words of this Writ, it may be
 inferr'd ;*

1. *That when* the Government and State
 of the Nation is embarras'd, the assembling
 a Parliament, is the assembling of that
 Power which (only) can overcome the
 Grievance, and support the King in his
 Authority and Grandeur.

2. *That the Power* here wanted and
 called for, is the *Power* of the People ;
 without which *Power*, the National Busi-
 ness cannot be *done*, but, for want of it,
 must remain *undone* : Of which Businesses
 the elected Members are *impartially to judge*,
 and may freely give or deny their Concur-
 rence

rence to such Things as shall be proposed or required.

The Inference, therefore, that this *Power* is *deriv'd* from the People, and is *independant*, is conclusive: Because the People cannot give to, or invest another, with that Power, which they themselves have not.

3. *That the King*, in his Conferences and Treaty with the Parliament, mention'd in the *Writ of Summons*, seems to be *engaged*, on his Part, to disclose and impart to that Assembly, not only what Things he thinks fit, but also such Things as they shall desire to know: Because it is Part of their Duty to expose their Grievances, and to make Inquisition for the Authors, and to prosecute for proper Remedies. And after that, the King seems to be also *engaged*, to give the Royal Assent, to such Remedies as the Assembly shall judge and chuse to be good and proper to redress the Grievance: Because their Resolutions, are the Reasons of the Kingdom. And if so, then how *free* and *independant* ought to be such an *Assembly*?

4. *That the Words* and Form of these *Writs of Summons*, are the strongest Evidence to demonstrate and prove, what that *Share* is, and what that *Power* is, which

the Commons in Parliament assembled have in the Government.

Now the Rights and Powers which the Third Estate, or House of Commons, have anciently exercised, seem to prove them to be a Free, *Independant*, and Essential Estate or Part of the Government ; as may appear from these two old Instances, *viz.*

(a) *In the Year 1258* — 43 *Hen. 3.* this King receiv'd a Letter from Pope *Alexander the Fourth*, by which that Bishop of *Rome* expostulated with the King about the Sentence, or Act of Parliament, which His Majesty had, jointly with the Lords and Commons, given and past, to banish *Adomar*, the proud and insolent Bishop of *Winchester*, for numerous Misdemeanors, and especially for misleading (and patronizing others to mislead) this King into many provoking Acts of Misgovernment ; the Bishop of *Rome*, by this Letter, required, That the Sentence (or Statute) should be repealed, and *Adomar* recall'd, for this Romish Reason ; Because, forsooth, that Bishop of *Winchester* was a Clergy-man, and not subject (as he pretended) to Lay Censures, in Disobedience to the Church Canons made by the

(a) *Cotton's Posthuma*, 350. Tyrrell.

Bishop of *Rome*. And in order to Answer this Letter, King *Henry* laid it before the Parliament, to consider of this Usurpation of Church Dominion. Upon which the Commons came to a Resolution, which they reduced into a Letter, in Answer to the Pope's ; in which they, as a Free and *Independant* Estate, expressed their Sense, in these Words, *Si Dominus Rex & Regni majores hoc vellent ; Communitas tamen, ipsius* (Adomar) *Ingressum, in Angliam jam nullatenus sustineret.* In *English* thus ;
 “ If the King and the Lords would do
 “ this Thing, (meaning, if they would re-
 “ voke the Banishment) yet the Commons
 “ would *not suffer* or bear *Adomar's* Re-
 “ fidence in *England*.” And the Commons caused their Speaker, *Petrus de Montford* (*Vice totius Communitatis*) to sign, and he did sign, this Answer. And afterwards, in a Conference with the Upper House, the Lords also under-signed it. And the same was sent to the Bishop of *Rome*, who being so rebuked and abashed, all his Pretences were at that time silenced. This Act of Government therefore sufficiently proves, that the House of Commons was at that time a Free and *Independant* Estate, or Part of the Constitution of the Kingdom, to act concurrently with (but as freely as) the other Two Estates.

2. *And another* most exemplary Effort or Act of the Two Estates of Lords Temporal, and Commons (exclusive as well of the Prelates, as of the King) merits a *glorious Remembrance*, which happened upon this Occasion, *viz.*

It was discovered, in the Year 1295, 23 Ed. I. that *John Baliol* King of Scots (who, by King *Edward's* Sentence or Arbitration, had been placed in that Throne, preferable to *Robert Bruce* his Opponent) had secretly conspired with *France* to invade and attack *England* on one Side, whilst *France* did so on the other. Which Conspiracy so incensed King *Edward* and the Nation too, that this King invaded and made terrible War in *Scotland*, and moreover claimed the Sovereignty of that Kingdom, and treated the *Scotish* King and his People as Rebels.

During this War, *Robert Winchelsey* Archbishop of *Canterbury*, in much Haste and Concern, arrived in the King's Camp near the Abbey of *Darquer* in *Scotland*, and in Quality of the Pope's Legate, deliver'd to His Majesty a Letter of Summons from Pope *Boniface* the Eighth, dated at *Anagnia* the 27th of *June* 1300, whereby the Bishop of *Rome* signify'd, That the *Scots* complained

plained to him, That altho' King *Edward* had (as they pretended) no Sovereignty over their Country, yet he had invaded, and made War, and tyrannized over them, contrary to all Right and Equity : And that altho' King *Edward* had assumed to be Arbitrator between some Claimants of their Crown ; and altho' the *Scots* had submitted to his Arbitration ; yet that Submission was made for no other Reason, but because they were not able to resist his Will : The Bishop of *Rome* therefore, at the Instance of the *Scots* (who prayed his Judgment and Assistance) claimed the Cognizance and the Jurisdiction to hear and determine all Questions touching the Sovereignty of *Scotland*, and required King *Edward* to cease his Wars, and restore to the *Scots* their Liberties ; and directed, That if He, King *Edward*, pretended to have a Sovereignty or Dominion over *Scotland*, His Majesty should send Commissioners fully instructed, to Answer before him (the Bishop of *Rome*) to the *Scots* Complaints, promising to do King *Edward* Justice, and inviolably to observe his Right, if any he had (that is, to hear and determine the Sovereign Right) to the *Scotish* Government.

The King was enough surprized at the Message ; and yet he declined, at present,
to

to treat the Arch-Bishop with such Usage as is usually inflicted on Subjects who bring Messages so presumptuous and treasonable. But His Majesty, with Mildness, told the Arch-Bishop, That, according to the Custom of *England*, he would advise with his Parliament, and send the Bishop of *Rome* an Answer by Messengers of his own.

King Edward therefore immediately called a Parliament, which met at *Lincoln* about the 20th of *January* 1300, and laid before them the Pope's Letters, and required their Counsel and Resolution. Which was the same thing as to say, To you, Gentlemen, it belongs, to give an Answer to a Message so imperious, which claimed over them such a Church Dominion. Upon Consideration whereof, the Two Estates of Lords Temporal, and Commons, (without the Prelates) exercised, in their Judicial Capacity, their Original and Fundamental Rights and Powers, and came to several Resolutions, which they reduced into the Form of a Letter, or Answer: And to several Duplicates thereof, the whole House of Temporal Lords (being in Number 104) did, for Themselves, and for the Commons of *England*, put their Hands and Seals; all of them dated the 12th Day of *February* 1300; one of which Duplicates was sent to the Pope, as the Sense and

and Judgment of the Nation : And one other of those Duplicates hath escaped the Injuries of Time, and is now extant in the Library of *Corpus Christi* College in *Oxford*, and was, by the Authority of that University, in the Year 1678, printed both in *Latin* and *English* ; the Whole whereof being long, I chuse rather to abstract the material Parts : It was directed to the Pope, and the Words were ;

“ Sane Convocato nuper per Dominum
 “ nostrum Edwardum Regem Angliæ Par-
 “ liamento, apud Lincoln’, idem Dominus
 “ quasdam Literas Apostolicas quas ex
 “ parte vestra receperat, in medio exhiberi
 “ fecit. Quibus Auditis & Intellectis, scimus
 “ enim Pater sanctissime quod à **Prima**
 “ Institutione Regni Angliæ, Reges ejus-
 “ dem, super juribus suis Temporalibus,
 “ coram aliquo Judice Ecclesiastico, vel Se-
 “ culari, non responderunt aut respondere
 “ debebant : Unde habitâ deliberatione,
 “ unanimis omnium nostrorum consensus
 “ fuit, est, ac erit inconcussè, quod præ-
 “ fatus Dominus Rex, super juribus suis
 “ Temporalibus, nullatenus judicialiter re-
 “ spondeat, coram vobis, nec Judicium
 “ subeat quoquomodo, aut jura sua in du-
 “ bium quæstionis deducat, nec ad præsen-
 “ tiam vestram, Procuratores aut Nuncios
 “ mittat. Cum premissa in subversionem
 “ status

“ status Regni ac Libertatum & Legum Pa-
 “ ternarum cederent, ad quarum defension’
 “ astringimur, & quæ manu tenebimus toto
 “ posse, totisque viribus defendemus : Nec
 “ etiam permittimus, aut aliquatenus per-
 “ mitemus, præmissa tam insolita & inde-
 “ bita, Dominum nostrum Regem (etiam
 “ si vellet) facere seu quomodolibet at-
 “ temptare.”

*In cuius rei Testimonium Sigilla nostra,
 tam pro nobis, quam pro tota Com-
 munitate prædicti Regni Angliæ præ-
 sentibus sunt appensa.*

*Datum apud Lincoln’, 12^o Die Fe-
 bruarii, Anno Dom. 1300.*

In English thus :

*A full Parliament being called by our Lord
 Edward King of England, at Lincoln ;
 He, our said Sovereign, did cause to be pub-
 lickly produced certain Apostolical Letters
 received from you the Bishop of Rome :
 Which We having considered, do declare,
 That from the First Institution of the King-
 dom of England, the Kings thereof have not
 Answered, nor ought to Answer, of or con-
 cerning their Temporal Rights, before any
 Judge Ecclesiastical or Secular : Wherefore,
 after serious Consideration, the unanimous
 Consent*

Consent of us All, was, is, and shall immoveably for ever be, That our King ought not, nor shall, in anywise, Answer judicially before you the Bishop of Rome, of or concerning any of his Temporal Rights, nor shall submit to your Judgment, nor shall bring any of his said Rights in Question before you, nor shall send any Proffor or Messenger to appear before you : For that such a Proceeding would tend to subvert the Sovereignty of the Kingdom, and the Liberties and Laws of this Nation, which we are bound to defend, and will defend and maintain, with all our Force and Power. And moreover (altho' our Lord the King should of himself be willing ; yet) we do not, nor will permit or suffer him to do, or attempt to do, the unlawful Things you require ; [meaning, That the People of England were not, nor would be in any sort, subject to Church Dominion].

In Witness whereof, we have to these Presents, as well for our Selves, as for the whole Commonalty of the Kingdom of England, set our Seals.

Dated at Lincoln, the 12th Day of February, in the Year 1300.

This

This Transaction is an unquestionable Proof, that the Two Estates of Lords and Commons, (being in a Free Parliament assembled) have exercised *some of the highest Acts of Government*, and have interposed (and seasonably too) to prevent such Proceedings, even of their own Kings, as tended to hurt or lessen the Rights, or Sovereignty, or *Independency*, of *England*.

3. *As to the 3d Consideration*, concerning the Violations of Free Parliaments, we may observe; That whenever we speak of Free Parliaments, we cannot describe them better, than by describing their Contraries, *viz.* Unfree, or Byassed Parliaments: And therefore it becomes necessary to shew what Attempts have been made, to violate Free Elections, and to Byas the Members when elected; and what Laws have been made to redress those Grievances; and how, and for what Reason, those Laws have proved ineffectual.

The first Notice our Records (which escaped Spoliations) have given us of Violations of Free Elections, is the Statute made in the first Parliament of King *Edward* the First, after his Return from the *Holy Land*, and held in the 3d Year of his Reign, 1275, (now 456 Years ago) the
common

common History informs us, That in the long Reign of his Father King *Henry* the Third, many unfair Elections, by the Influence of that King and his Ministers, had been made, of Members to serve in Parliament : And therefore the Commons in this Parliament devised a Law to redress that Grievance, in these short Words ;

That forasmuch as Elections ought to be Free, the King (i. e. the King, by Authority of Parliament) commands, That no Great Man, nor other, should, by Force of Arms, or by Malice (i. e. by Fraud) or Menaces, disturb the making Free Elections.

From this Act, it may be presumed, that former Kings, and, perhaps, the Great Lords too, had been the great Disturbers of Free Parliaments ; and that therefore the Commons, who devised this Act, penn'd it in this Form ; to the End the King might be, above all others, bound and restrained.

The next Impediment to Free Parliaments, we find in the Statute of the 7th of King Edward the First ; wherein the Lords and Commons represented to the King, That to His Majesty it belong'd, of his Royal Prerogative, to protect the Parliament from Force : And therefore, &c. I pre-
C *sume,*

sume, I may infer from this old Law, That in regard our ancient Kings were bound to *protect* Free Parliaments from open Force, they were equally bound and *restrained* from using secret Means to byas them.

The next Instance of the Violation of Free Parliaments, was, That this very *King Edward the First* closetted the Members, and treated them, partly with Promises of Rewards, and partly with Menaces, to delay or decline the Confirmation of that important Statute, to restore that most material Clause of *King John's Magna Charta*, (touching the Power to impose Taxes) call'd the Statute *De Tallagio non Concedendo*, which had been fraudulently omitted out of *King Henry's Magna Charta*, viz. That no Taxes could or should be imposed or levied, but by a Grant thereof in Parliament.

But the Vertue and Integrity of the Patriot Lords and Commons of those Times, and their inflexible Resolutions to restore and vindicate the Constitution, was superior to all Temptations, and deaf to all Persuasions.

The next Attempts to violate Free Parliaments, were made in the Reign of *King Richard the Second*, which were so extraordinary,

traordinary, that if all the Pictures of the Enemies to Free Parliaments were lost, they might all again be painted to the Life, out of the Story of this King : For He (or his Ministers for him) rightly judged, That there was no sure or safe Way to subvert the Constitution, or to attain Arbitrary Power, but by *governing the Parliament*, especially the House of Commons ; and for that Purpose, this King and his Ministers laboured and watched nine Years together, in taking Measures to compass that Design, and at last effected it.

But, hard Fate ! this daring Attempt compleated the King's Errors, and ended in a sad Catastrophe : For when the Lords and Commons were driven, by Misgovernment, to withdraw their Assistance, this King was taken Prisoner : And a Parliament, or Convention, being assembled, they proceeded judicially, and exhibited the Breaches of the Original Contract, and, amongst others, they insisted strenuously on the Article, for Violating Free Parliaments, (which this King had perpetrated, both by open Force, and secret Fraud) in these Words, *viz.*

“ That altho', by the Constitution and
“ Custom of the Kingdom, concerning Par-
“ liaments, the People in every Place ought

“ to be *free* to elect and depute Knights
 “ (or Members) to represent them in Par-
 “ liament, and to *expose their Grievances*,
 “ and to *prosecute therein* for proper Re-
 “ medies; yet this King, to the End he
 “ might be *Free*, to obtain and effect his own
 “ rash and indiscreet Will, had frequently
 “ *signified* his Commands to the Sheriffs,
 “ requiring them to cause certain Persons
 “ (*by the King himself nominated*) to be
 “ Returned as Knights (or Members)
 “ to his Parliament; which Members fa-
 “ vouring this King, His Majesty could (as
 “ he *frequently did*) engage them, some-
 “ times by Terrors and Menaces, and at
 “ other times by *Rewards* (meaning Pen-
 “ sions and Places) to *Consent* (*i.e.* give
 “ their Votes) to such Things as were
 “ hurtful to the Kingdom, and to the
 “ *People excessively burdensome.*”

This *Free Parliament* now assembled,
 argued, That if this King *had a Prerogative*
to reward such Services, as he could not
 obtain without such *Rewards*, then he had
 a Prerogative to reward the Nation's *Ene-*
mies: For this Nation cannot have greater
Enemies than Byassed Representatives:
And these Overt Facts are unquestionable
Proofs, that this King's Ministers did trai-
terously compass and imagine his Ruine and
Misfortune.

The

The next Violations of Free Parliaments, were made in the Reign of King *Charles the First*, which differed from all the former: For this King did not go about to Pension or Byas the Members; because such a Proceeding would tacitly admit, that some *Share* of the Government did reside in the People: But His Majesty assuming to himself the whole Government, exclusive of all Intermeddling, did assert and avow, That the *People* (meaning their Representatives in the House of Commons) had no *Share* in the Government, but that the Entire and Sovereign (or Supreme) *Power* resided in His Majesty (as King) only.

And the King therefore, in order to convince the People of the Truth of this *Maxim of State*, treated the Parliament with some Badges that favoured of meer *Vassalage*: For His Majesty, by Messages, prescribed to them, as a meer *Dependant Assembly*, *what they should do, and what not*. For if the Commons in Parliament had been subject to be so prescribed to, they were *Dependant*; if not, they were *Independent*.

His Majesty, by Speeches, declared, That it was in his Power to make them cease to Be: And that was a Notion which
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imported,

22 *Free Parliaments, &c.*

imported, that He, as King, had Power to change the Constitution of the Kingdom; and to make that Estate Dependant, which in its first Institution was Independant.

His Majesty denied some of the Lords their Seats in Parliament.

He sent armed Forces to break and enter by Force into the House of Commons; which ought to have been as inviolable as his own House.

He menaced, first to punish, and afterwards did actually prosecute, fine, and imprison some Members, *for what they said and did in Parliament.*

His Majesty exercised a *Coercive Power* over the House of Commons: For he conducted, in Person, an armed Force to the House, and enter'd himself into it, to arrest the five Members.

And, above all, he *exercised* a Government for a long time *without Parliaments*; and prohibited the People to *speak* any more of Parliaments.

All which Violations are accurately related in the *Britannic Constitution*; except only, that the Author omitted this King's sending

sending armed Forces to break open the Doors of the House of Commons. And as to that Matter, the Fact was thus :

The Second Session of this King's 3d Parliament was opened on the 20th of *January* 1628, 4 *Car.* I. in which many rough Proceedings passed, about His Majesty's imposing and levying the Customs on Merchandise without Act of Parliament, &c. But the Parliament being, for that Reason, adjourned 'till *Monday* the 2d of *March* 1628, Sir *John Finch* the Speaker did on that Day deliver a Message from the King, commanding the House to adjourn for eight Days, 'till *Tuesday* the 10th of *March*. But the Members apprehending an abrupt Dissolution, Sir *Miles Hobart* stept to the Door and lock'd it ; and Messieurs *Holles*, *Valentine*, *Hayman*, and Others, held the Speaker *Finch* in the Chair. The King hearing of this Heat in the House, sent for the Serjeant at Arms, commanding him to bring away the Mace : But the Serjeant was lock'd in. The King then sent *Maxwell*, the Usher of the Black Rod, to Dissolve the Parliament : But neither he nor his Message would be admitted. The King then sent his Captains, with their Gentlemen Pensioners, and the Guards, with Orders to force an Entrance. But these Proceedings gained two Hours

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Time ;

Time ; in which Space the House passed their Resolutions, " That whoever should " advise the taking or levying Tonnage " and Poundage, (meaning the Customs) " or act therein, or should voluntarily pay " those Customs, should be deemed public " Enemies " : And then hearing the Forces were advancing, to break in, the House broke up suddenly, and escaped.

The grand Question therefore was, Whether the *People* had a Right to have those *Shares* in the Government, or not ? The People resolutely claimed them, and the King as obstinately denied them.

If therefore the Case is rightly stated, then the *last Speech* of this King is a *full Proof*, that His Majesty's Ministers were fierce Enemies to the *Peoples* Parliamentary Rights and Powers ; and that that Enmity was incurable : For His Majesty's last Words were these ;

(a) *As for the People, truly, I desire their Liberty and Freedom as much as any Body whomsoever : But I must tell you, That their Liberty and Freedom doth not consist in having a Share in the Government ; That*

is nothing pertaining to Them : A Subject and a Sovereign are clear different Things : And therefore, 'till you do That, I mean, that you put the People into that Liberty, as I say, they will never enjoy themselves. Sirs, It was for **This** I am come Hither : And therefore I tell you, That I am a Martyr of the People : I have deliver'd my Conscience.

— This Speech, spoken in such a Place, and at such a Time, seems to disclose, That the *Maxim of State*, which His Majesty adhered to, was, That Parliaments had no **Share** in the Government. And if that was really his *Maxim*, then I think I shall stand justified, by making these short Queries, viz.

1. Whether the People or Commons of England ever did claim, or pretend to claim, any **Share** in the Government, except their Parliamentary *Shares*, to act as a Free and Independant Estate, according to the Constitution ?

2. Whether this *Speech* did not open the very *Secrets* of His Majesty's Mind and Conscience, touching the Facts and *Causes* for which he was martyr'd ?

3. Whe-

3. Whether the Words, [*put the People into that Liberty, as I say,*] do not mean, to put the People out of their Parliamentary Shares ?

4. Whether the Meaning of the Word **This**, [*Sirs, It was for This I am come Hither, and am a Martyr*] did, or did not mean, That His Majesty, for endeavouring to put the People out of their Parliamentary Shares in the Government, (*viz.* out of their Independancy, to act as a Free Estate, according to the Constitution,) was a Martyr ?

5. If the Word [**This**] did mean, That His Majesty's Endeavour to put the People out of their said Parliamentary Shares, was the true Cause of his Martyrdom ; Then, What sort of Behaviour must that Be, of Freeholders, when they give Thanks to God, for enabling this King to Suffer, and to Resist unto Blood ; and to pray, that his Memory may, for that Endeavour, be blessed among us ?

But to these melancholy Contemplations, I apprehend I may (without Offence) make a short Enquiry into the necessary Connection between Causes and Effects. We all know, that this King's most dismal Circumstances,

cumstances, were the Effects ; and that his Treatment of Free Parliaments, were the Causes of those Effects : And therefore it may be made a Query, Whether the Ministers, Arch-Bishop *Laud*, Earl *Straford*, and others of their Party, did not compass and imagine this King's Misfortunes ? And whether Overt Facts to prove that Treason, may not be assigned, first, in their *Infusing* those mistaken Notions of Government into this King's Mind, which His Majesty, often in his Life-time, and, last of all, at his Death, asserted and expressed ? And, secondly, in their *Advising* this King to do and execute those provoking Acts to Free Parliaments, which tended to *subvert the fundamental Form* of this Government ; and which His Majesty, pursuant to their evil Advice, and according to those Notions, did unhappily give into ? For those Ministers Advice did make the *first Link* of the Chain of those Causes, and those Causes did, by Steps, draw and involve His Majesty into the fatal Mischief : And those Overt Facts do therefore prove the Treasons of those Counsels ; and in that Light, Men may be led to see and know the *first* and real Malefactors.

For if those Ministers had insisted, That they had no Intentions to hurt, but to serve His Majesty, whom they passionately rever'd ;

rever'd; yet that Pretence would have made a poor Evasion: Because when Consequences of illegal Acts extend beyond Intentions, the Effects and the Causes cannot be divided: For the Invasions on the Rights of the Commons, were the *Causa Efficiens*; and the *Subversion* of the fundamental Form of Government, was the *Causa Causata*, or *Causa sine qua non*, that finished the Treason.

I think I shall stand justified, in asserting, That if any Prelate shall hereafter aspire to be (like Arch-Bishop *Laud*) a Minister of State, and should (like him) *infuse and propagate* Notions, That the House of Commons are and ought to be treated as a Dependant Estate, and consequently, rewarded, and prescribed to (for he that rewards, may prescribe); and if those Notions should be imbibed and *pursued*, and the House of Commons treated as Vassals and Dependants; That, in such a Case, the like Causes would produce the like Effects; and then, such a Prelate would, in so doing, commit the Crime of Compassing and Imagining the unhappy Consequences.

The next Attempts to violate Free Parliaments, were made in the Reign of King *Charles the Second*.

His

His Majesty being in Exile, was pleased, in order to gain Admission to the Throne, to put on a pleasing Dress, and to contradict his Royal Father's Assertions, and to say, *Upon the Word of a King*, 'That he believ'd that the Two Estates of Lords and Commons in Parliament, were a *Vital* Part of the Constitution, (*i. e.* had a *Vital Share* in the Government); and that he equally desired the People should enjoy their Rights, in Free Parliaments, (meaning their *Share* in the Government, as Free and Independant Estates) as that He (the King) should enjoy his own Rights.

And yet this King, so early as within Twelve Months after his making that specious Protestation, *on the Word of a King*, retracted, and enter'd into secret Measures with *France*, to enable him to deprive the Electors of their Elections, and to *extirpate Free Parliaments*. For (a) Mr. *Echard* writes, That Mr. *Popham*, Proprietor of a great Estate in Land, and a Man of great Intrigue and Sagacity, privately offer'd this King, That he and his (*Popham's*) Party in Parliament, wou'd procure for His Majesty and his Successors, for ever, an

(a) *Echard*, p. 783. *D'Orleans*, p. 226. *Burnet*, p. 160.

Hereditary Revenue of above Two Millions a Year, to be payable and raised by way of *Land Tax*, besides the Revenue of *Excise*, *Hearth Money*, and other Duties, which He [the King] had already obtained. Upon which this King, *in Breach* of his own Royal Word, and solemn Declaration, gave in to this Proposal, and consulted the Lord Chancellor *Clarendon* about this Overture.

If this dangerous Offer had taken Place, *Britons* might have bid Adieu to Free Parliaments: But Heaven did, as at other times, interpose and save *England* from her own imprudent Children, who at that time would have *thrown up her Liberties*, and the Peoples *Share* in the Government, into the Hands of a pretended Friend, but, in Masquerade, a *real Enemy*. For the Chancellor *Hyde*, to his perpetual Honour, diverted the Mischief, by advising this King to depend on his Peoples Affections, as the greatest and surest Revenue; and, by that honest and sound Advice, *Free Parliaments* did at this time escape.

The next Attempt against Free Parliaments, was occasioned by the Act of Parliament, passed in the Winter Session of 1667, for taking an Account of Seven or Eight Millions, which had been given for carrying

carrying on the War against the *States General*; but had been so miserably misapplied, that the *Dutch* were suffered to insult us in the *Thames* Mouth, and to burn our Ships of War under our very Noses at *Chatham*. The Commissioners were nine Gentlemen (not Members of Parliament) who gave King *Charles* the Second, by their Enquiries and Examinations, great Uneasiness, lest a Discovery of the Truth should bring on some untoward Events.

The King, therefore, by the Treasurer of his Household, Sir *Thomas Clifford*, found Means to *Take off*, (as the Phrase then was); meaning, He Byassed most of the Leading Members with Pensions, or Rewards: Which caused the great Expectations from those Accounts to evaporate. And yet Mr. *Echard* (a) was pleased to write, That twelve Years afterwards, in the Year 1679, when a strict Inquisition was made for the Names of those Pensioners, and what Pensions they had accepted, they were found to be but 32 in Number, whom he names; and their Pensions were (as he says) not considerable: But he is pleased to say, there were found a few Patriots (naming no more than four) who

(a) *Echard*, p. 964, 978.

were,

were, in those corrupted Times, superior to all Temptations.

The next Scheme to Remove or Enervate Free Parliaments, was thus contrived : Sir *Thomas Clifford* having successfully applied the Pensions, and thereby turned the Public Accounts into Mockery, he was, in a convenient time, *viz.* in *November 1672*, not only made Lord Treasurer, but one of the Cabal of five Lords, (to wit) *Clifford, Arlington, Buckingham, Ashley Cooper* (afterwards Lord *Shaftsbury*), and *Lauderdale*; the initial Letters of whose Names form'd the Word *Cabal*; who framed such Conspiracies to subvert the Constitution,* and to extinguish Free Parliaments, as exceeded all Description. Their Pretences were, That frequent new Elections, in the Room of such as died, introduced into the House of Commons Patriots who adhered to the Constitution; and those they stigmatiz'd with the sarcastical Name of *Republicans*.

But the principal Effort at Home, join'd with a secret League with *France*, was, to establish such a perpetual and extensive Fund, or Revenue, to advance the Prerogative, as would render Parliaments useless. And Lord *Clifford*, having engaged his Pensioners, undertook and did, in a studied Speech, open, in the House of Lords, the
treasonable

treasonable Scheme ; and the King and the Duke of York were to be, and were present in Person, to give the Design the greater Countenance.

But the Chancellor *Shaftsbury*, out of some Disgust lately taken at the King's deserting him, and out of a private Pique at *Clifford*, exposed the Scheme, and boldly, in the Presence of the King and Duke, " asserted, That *Clifford's* Propositions would " end in Confusion ; which, probably, might " send again the Royal Family Abroad, to " spend their Lives in Exile, and, perhaps, never to return." And tho' this Speech did at this time confound the Conspiracy, yet it made on the King and the Duke no Impression, save only to sharpen their Enmity against Free Parliaments.

The next Attempt to enervate (if not extirpate) Free Parliaments, was made, when Earl *Danby* was made Lord Treasurer ; for *Clifford's* Measures were depreciated ; and the King was possessed with this Notion, That whereas *Clifford* had, at great Prices, gained the Leading Members only, to speak and vote as he directed, leaving the Herd as a despised Company of little Value, the new Minister acted in a
D contrary

contrary Method, rightly judging, that the gaining the major Number, was the surer Game ; and it was reckon'd, that Ten ordinary Men might be gained, cheaper than one of the high-priced Leaders ; and the Ministers proceeded accordingly. But it was found, at present, that many of this new-gained Party, who were willing to vote in all Obedience, yet retaining some Modesty, they at this time proved squeamish, and voted on the other Side, being ashamed to vote on the Side, which was baffled and manifestly run down in the Debate.

In these Times, about the Year 1674, many Glimmerings and Sparks of Fear arose in the Ministers Minds, touching the Election of a new Parliament, the People making a great Outcry against the then standing Parliament ; but, above all, the Duke of York began to smell the bitter Savour of a Bill of *Exclusion* : The prime Minister therefore projected, and contrived a new Scheme to secure new Elections, and to train a new Parliament to move and act as he directed. The Project was, to introduce a Law to answer all Purposes ; it was to be such a Test, as should discriminate and shut out from being Electors, and from being elected, to serve in Parliament, all Dissenters. It was to be such a Law as would sufficiently renounce and
abjure

abjure the Lawfulness of Resistance, in any Case whatsoever; and restrain Men from taking up Arms, in any Case whatsoever; and as should make the Subjects Obedience to the Crown *unconditional*. It was to be such a Law, as should *effectually* restrain Men (and especially Members of Parliament) from endeavouring to make *any Alteration* in the Government, either in Church or State, covertly, meaning to exclude any Bill of Exclusion of a Popish Successor. And, lastly, it was to be a Law *imposing Oaths*, both Assertory and Promissory, concerning all the Terms of this new Scheme. And the Ministers possessed the King and the Duke with a Notion, 'That such a Law would establish their Government against all Events, and make the House of Commons perfectly and intirely dependant, and subject to the Regal Directions, and, consequently, would exclude all Exclusions.

Bishop *Burnet* writes, (a) That a Law of this Nature was contrived and framed by the Lord Treasurer *Danby*, and some of the Bishops: And that Lord *Danby* having made sure of a Majority of the Commons, the Bill was brought into the

(a) *Burnet*, p. 383.

36 *Free Parliaments, &c.*

House of Lords, in the Winter Session 1675, under a Pretence to settle in Mens Minds, their Principles of Government: And that as no Man was to be forced to take these Engagements, so every Man was to be contented, with being excluded from what he might enjoy, if he would conform and equip himself with these Qualifications.

But never was any Bill opposed with such a Spirit of Liberty; for the Debates lasted nineteen Days; in which the Bill was divided into these transcendent Questions of State, *viz.*

1. Whether Resistance could be lawful, in any Case, against the King? and, Whether the Subjects Obedience to the Crown is Unconditional?

2. Whether the Authority and the Person of the King can be understood to be in any Case Divided?

3. Whether a Commission given by the King, to do any Acts of State, can be in any Case Unlawful?

4. Whether Free Elections of Members of Parliament, can be, by any Law now made, impaired? or the Members, when elected, made Dependant, or Restrained,
from

from propounding the Alteration of Old Laws, or introducing New ones, or from Arguing or Debating upon the Fitness or Unfitness of their Motions in Parliament ?

I shall state, in short, the memorable Arguments against this monstrous Attempt, and begin with the last Part, touching Free Elections, and Free Parliaments.

And as to that, it was argued, That the Bill, instead of preventing Alterations in the Government, was an Endeavour to change its very Fundamentals : That the great Privilege of *Englishmen* was, to pay such Taxes only as their Representatives should give ; and obey such Laws only, as those Representatives should devise and consent to : And why therefore should they be disinherited of their Birthrights, or shut out, by preliminary Conditions, from the tenderest Part of their hereditary Privileges ? To which no good Answer was or could be given.

And as to binding the Members from propounding Alterations, either to amend, strengthen, or repeal old Laws, or introduce new ones ; that Matter was exposed, as inconsistent with the Essence or Independancy of Parliament : For no Parlia-

ment can restrain the Power of a succeeding Parliament ; but every Parliament, when assembled, if Free, hath an unlimited Power over all the Laws made by former Parliaments.

And as to the former Part of this Bill, touching Resistance, Taking up Arms, &c.

Those who argued against the Bill, urged, That Resistance, and Taking up Arms, are indifferent Acts, and are to be distinguish'd by the Adjectives, lawful or unlawful : And therefore there must be some Law to measure by ; to shew whether the Act done, agrees or disagrees with that Law. That the Words [*Not in any Case whatsoever*] are extensive enough to repeal or enervate even *Magna Charta* itself : For *Magna Charta* hath pointed out, enumerated, and declared many Cases, which the King cannot lawfully do ; viz. *He cannot, nor shall cause, any Man to be Arrested or Imprisoned, or Disseized of his Freehold, &c.* but by the Law of the Land.

That this *Magna Charta* was made, upon a Supposition, That the King may, in Fact, do, or commission others to do, those unlawful Things : For, *Omnis privatio præsupponit habitum*. And therefore, if the King commissions others to do any of those
unlawful

unlawful Things, the Commission is void ; because the King has no Authority to do the Thing required, much less to grant such a Commission to others to do it ; and therefore the Person commissioned may be resisted, as a Trespasser, Invader, and Wrong-doer.

Cases were also put, touching making this Nation subordinate or tributary to *France*, or endeavouring with a *French* Army to subdue it.

And Questions were demanded, Whether the King was, in such a Case, to be resisted, or permitted to proceed in such an unlawful Undertaking ?

Many such bold and legal Arguments were made use of, and urged, in the House of Lords, before the Faces of King *Charles* the Second, and his Brother the Duke of *York*, who attended in Person, to influence and encourage one Side, and intimidate the other ; and they so far succeeded, that, the *whole Bench of Bishops* being on their Side, the Lord Treasurer *Danby* and his Party carried every Question, and the Bill was in a fair Way to have Passed that House ; which, if it had, it was very probable, it would at that time have Passed, that Pensioned House of Commons.

But an unlook'd-for Accident, occasion'd by Dr. *Shirley's* Appeal from a Decree in Chancery, made in favour of Sir, *John Fagg* a Member of the House of Commons, caus'd a Rupture between the Two Houses ; and the Session was, for that Reason, abruptly broken up and prorogued, whereby Free and Independant Parliaments did at this time *Escape*.

The next Attempts to violate Free Parliaments, were made in the short Reign of King *James* the Second, and were equal to any of the former, and, in some Points, more dangerous : For this King, whilst he was Duke of *York*, had, in the Reign of his Elder Brother and Predecessor, King *Charles* the Second, pushed on the *Quo Warranto's* against the Cities and Boroughs which sent Members to the Parliament ; by which Means, many Surrenders of Charters had been unduly obtained.

These Methods, partly by Surrenders, and partly by *Quo Warranto's*, acquir'd an Opportunity to grant new Charters ; in which King *Charles* had, by the Instigation of the Duke of *York*, exercised a most dangerous Power, by inserting, in each Charter, two Clauses, which *struck at the Root* of Free Parliaments ; one of which reserved

reserved to the Crown, a Power to *Appoint* and Alter, at Pleasure, the principal Men in the Corporations: *And* the other Clause, took from the Inhabitants, or Populace, the Privilege of Elections, and restrained that *Privilege* to the Corporation-men only: Which was an Endeavour to subvert the Constitution, by assuming a Power to deprive many People of their Birthrights; I mean, their Privilege to elect the Members; and placing those Elections under the Power of the Crown: For the Crown elected the Corporation-men, and They the Members, which resolved the Election, virtually, into the Crown. Which Wound, so given to Free Parliaments, had been *mortal*, if it had not been cured by the *Revolution*.

For according to this new-acquired Power, King *James* caused such Members of his first Parliament, as he nominated, to be, with Violence and Injustice, elected, and returned. Which made Petitions against undue Elections, to such Judges, to be look'd on as vain Attempts.

But the Duke of *Monmouth's* Invasion (tho' fatal to himself) proved an effectual Means, at that time, to save Free Parliaments, by diverting the King to oppose the Duke; and that seasonable Diversion prevented the Passing some Enslaving Laws,
that

that were prepared, and ready, and would, in all probability, at that time, have passed ; amongst which, one was, to make *Words* Treason, *viz.* That any Words, said to Disparage the King's Person, or his Government, should be High Treason. Which, by Construction, would have been extended to Disparagements of the King's Religion, as well as his Person.

But *Monmouth's* Invasion shorten'd the Session, and caused this and other insidious Bills (which this Parliament were, at first, willing enough to Pass) to be laid aside.

For after the Defeat of *Monmouth*, this King's Proceedings, towards Arbitrary Power and Popery, were so dangerous and impetuous, that his own pack'd Parliament recoil'd, and became refractory. After which, the Difficulty, which this King found, in executing his new Power over Elections, was, That he could not find a sufficient Number of Gentlemen to nominate, who wou'd be Dependant, and submit to pass such Laws as he devised and dictated ; altho' this King added to his other Measures, that of Closetting, and did himself propose the usual secret Means to byass 'em ; but he found 'em superiour to his Temptations.

At

At which unsuccessful Proceedings this King was so enraged, that he took some desperate Resolutions: But those cou'd never be discover'd, otherwise than what could be collected, from his giving out, That He would Carry his **Point**. Which every One knew he could not now do, without using his own, and, probably, *French* Troops, to force either the Elections, or the House of Commons, when elected.

But these open Proceedings were made an Article, to prove, That King *James* had endeavour'd to subvert the Laws and Liberties of *England*, by violating Free Elections of Members to serve in Parliament.

The grand Violation of Free Parliaments, which happened in the Reign of Queen *Anne*, was of a different Nature from any that was ever before openly or avowedly attempted; in regard that Violation was exercised on the *Second Estate*, or House of Lords, and not readily apprehended by common Understandings: Because the Elections of the Lords, were, by a fundamental Article of our Constitution, vested in the Crown: For the Lords receive their Elections from the Crown; but their Authority, as Trustees
for

44 *Free Parliaments, &c.*

for the Nation, from the Constitution. This Violation was therefore the more dangerous, because it commenced a Precedent to Influence and Alter the Second Negative.

This Violation center'd in the Queen's Menacing the Electoral Prince of *Hanover* (whom she herself had created Duke of *Cambridge*) to oppose him with all her Power, if he presumed (as a Peer) to come into her Dominions, and take his Seat in Parliament.

But the Way to that Violation was opened, by the extraordinary Exercise of the Royal Prerogative, in two Particulars; *viz.* 1st, in the Election and Creation of Lords; and, 2^{dly}, in making Peace.

To illustrate therefore the Violation above-mentioned, it will be necessary to step back and take a View of that State and Condition, into which, the then Ministers Conduct had brought the Nation; and of that evil Case, out of which they could not extricate themselves, without attempting to violate Free Parliaments.

And that State of the Nation was thus:

The Power of France had, in the single Reign of *Lewis* the Fourteenth, grown up
to

to a Height that terrified all *Europe*, and had been increased by clandestine Leagues with *England*.

The French King, partly by his Wars, and partly by the Treaties of the *Pyrenees*, *Aix la Chapelle*, *Nimeguen*, and *Ryswick*, which he had, in effect, imposed, had acquired large Dominions, and numerous fortified Towns, in *Flanders*, *Luxemburgh*, *Burgundy*, and *Alsatia*, and also *Strasburg*, *Brisac*, &c. and on the *Rhine*: And by breaking the *Treaty of Partition*, he had placed his Grandson on the Throne of *Spain*; by which Means, he had got under his Direction, not only *Spain*, and the *West-Indies* (where was the Fountain of Treasure, and consequently of Trade and Commerce) but also *Naples*, *Milan*, *Sicily*, and *Sardinia*, and, above all, *Flanders*, by which, he became Master of the Frontiers of *Holland*; and, as an Addition to this immense Power, the two Electors (of *Bavaria* and *Cologne*) and also the Duke of *Savoy*, had enter'd into his Friendship and Alliance: All which made, that *Lewis* the Fourteenth was at that time, in his highest Exaltation, Grandeur, and Power; and in this Exaltation, he caused the *Pretender* to be openly acknowledged and treated as King of *England*, which was, in effect, to declare openly and avowedly that he dis-
owned

owned King *William*, and his Successor Queen *Anne*, and that he resolv'd (if he could) to dethrone Him first, and Her afterwards.

In these dismal Circumstances a Treaty was commenced between England, the States General, and the Emperor, for their Common Defence and Safety, and to preserve each One's Independency; at the Commencement whereof, it was laid down as a Principle, That England singly, or the States General singly, or the Emperor singly, could not contend with the Purse and Power of France and Spain: And that it was a Maxim of State, That when many separate States, do, with much Disadvantage, contend against one, that is equal to them all, and where the Help and Assistance of each Confederate State is necessary; there, any one of the Sociates, may first treat separately, and make his own Peace, and then join with the Enemy to force the rest, and enslave Himself, as well as Them: And therefore a strict Union of Councils and Forces was all that the Parties had to depend on; for which End, the greatest Care was taken to restrain and provide, that no one of the Sociates should first treat with the Enemy separately, without previously consulting the rest; after the following manner, viz.

1. That

1. That Satisfaction should be procured to the *Emperor*, for his Pretensions upon *Spain*; (meaning, that *Spain* should be recovered from the House of *Bourbon*).

2. That Security should be given for *England* and *Holland*, in relation to their Trade and Commerce; and that each Party should join and exert all his Power to execute what was then agreed on; (*i. e.* That they should not disunite, separate, or desert the one from the other).

3. That they should endeavour to conquer the *Spanish Netherlands*, for a Barrier to secure the *Dutch Dominions*.

4. That they should endeavour to conquer *Milan*, *Naples*, *Sicily*, and the *Spanish Places* on the Coast of *Tuscany*, for the *Emperor* and *Empire*.

5. That *England* and the *Dutch* should for ever enjoy such Places in the *West-Indies*, as they could take from the *Spaniards*.

6. *Neutri Partium fas sit, de Pace cum Hoste Tractare, Nisi Conjunctim & Communicatis Consiliis, &c.* In *English* thus; That it shall not be lawful for any one of the

48 *Free Parliaments, &c.*

the [Contracting] Parties to Treat with the Common Enemy concerning Peace, (except Jointly, and first imparting to each other all the Terms of the intended Negotiation).

Note the great Care and Caution of this Article : For it is not said, in this Article, That neither of the Parties should *Conclude* a Peace with the Enemy ; but, That *neither* of them should *Treat* with the Enemy ; (*i. e.* That no one of them should make one Step or Preliminary towards Peace, without *first* *Imparting* to the rest, and Consulting with them the whole Design) : For this was the Master-Branch of all the Engagements on which, each Party placed their Confidence, and was a Restriction, imposed by joint-Consent, on the *Prerogative* of each Potentate. And yet this Article was the *easiest* of them all to be performed ; because no Accident or Difficulty could bring any one of the Parties under a *Necessity* to depart from it ; because it was the easiest thing in the World, first to impart the Design to, and consult, with the rest.

7. That no one of the Contracting Parties should *Conclude* a Peace with the Enemy, before they had procured the following Preliminaries, *viz.*

1. *Satis-*

1. *Satisfaction* to the *Emperor*, for his Pretensions on *Spain*.

2. *Security* for the Dominions, and for the Trade of the *English* and *Dutch*.

3. *Security* that the Crowns or Kingdoms of *France* and *Spain* should never be United under or upon the same Prince, (meaning, by the Word *Prince*, the Family of *Bourbon*) : For no Prince cou'd ever pretend to the Kingdom of *France*, but some Prince of that House, or else this Article meant nothing.

4. That the *French* should never Trade to the *Spanish West-Indies*.

From the Frame of this Alliance, it is abundantly clear, That the chief *Inducement* to begin the War, was, to recover *Spain* and the *West-Indies* from every Branch of the House of *Bourbon*. For the two Kingdoms, might be united, and were now united, under, and governed by, the Councils of one Family : And moreover, that the *Bourbon* Family, might be reduced to one Branch, or Prince ; and in that Case, both the Kingdoms would be united, under one Prince of the House of *Bourbon*.

The Queen also, at her Accession, did, as Representative of the Nation, ratify this grand Engagement, and give and engage the National Faith to perform it; and particularly, to perform and observe that *principal Branch*, whereby she engaged, never to treat with the Enemy separately, without first imparting her Design, and the Terms of it, to the rest of the Allies, and Consulting them thereupon.

This Alliance obtained the Name, of the *Grand Alliance*; because many other Princes and States came in, to be equal Parties.

This Treaty was therefore an Association, and a Publick Trust, which the Contracting Parties agreed to make, the Fund or Common Stock of Power, into which, each Party was to deliver and join his Forces, in Fellowship.

In this Confederacy, the Boundaries were fixed, over which, none of the Contracting Parties, should make one Step singly, towards Treating, with the Enemy, without first imparting, his intended Negotiation to the rest. And therefore the Contracting Parties, placed in this Engagement, a *Sovereignty*, over them All, from which no one of them, should depart;

depart ; and a Restriction, That no one Potentate should use, or pretend to use, his Prerogative, to depart from such his solemn Engagement, with the rest.

Upon this Foundation it was, that the Emperor and the States General, trusting and depending on Queen Anne's Performance, of her Part of the Engagement, and particularly on her strict Justice, to perform the principal Branch of them, raised Forces, joined as Sociates with the English, and hazarded their People and Countries, in the Event, of a dangerous and bloody War, in which Holland once, and, after that, the Emperor, fell into the utmost Danger.

It is in this Place to be remember'd, That altho' there is in the World such a Law, as the Law of Nations ; yet that Law hath not provided any Remedy, to restrain Sovereign and Independant Potentates, from using their Prerogative to depart from, and breaking their Engagements ; except Publick Faith, and Publick Trust, i. e. that Law of Nature, implanted in every Man's Mind, that restrains him from doing that Thing, to another Man, or Nation, that he would not be willing, that other Man should do to Himself, or to his Nation.

But before any Thing could be put in Execution, King *William*, who formed this cautious and wise Confederacy, died. And tho' Queen *Anne* found herself in Possession of a Nation universally apprehensive, that they and their Sociates, should never be able, to contend with the Purse and Power of *France* and *Spain*; yet she found Herself also in Possession, of such Men for Ministers, (and amongst them, Lord *Godolphin*, and others) who excelled in Politicks, and of such a Man (Duke of *Marlborough*) for a Captain-General, as surpassed in Military Vertue, and whom *France* could not equal; and being supported with such Servants, and with a vigorous, and wise, and Free Parliament, she solemnly entred into the Grand Engagement, in Execution of her Part; And in Conjunction with her Sociates, she, magnanimously and courageously, stepp'd forth, and declared Defiance and War, against that formidable Enemy, who had presumptuously declared, he would (if he could) dethrone her; and, in him, against that fictitious King, whom *France* had encouraged to claim her Crown.

The War commenced in 1702, upon the Foot of united Councils and Forces, and continued with unparallel'd Efforts for nine Years; and in the very first Campaign,
France

France sensibly found, she had now to deal with a Conduct and Courage, she had never before grappled with: For the *French* Army could effect no more, than to stand by and see the Duke of *Malborough*, at the Head of the Confederate Armies, save *Nimeguen*, and wrest *Keyserwart*, *Venlo*, *Ruremond*, *Stevenswarth* and *Liege* out of their Hands, in one Campaign; which gave *France* a Specimen, of what they were to expect, from a General at the Head of such an Army, and supported by such a Free Parliament, in the succeeding Campaigns.

It is material, just to mention the glorious Victories of *Donawert*, *Schellenberg* and *Blenheim* in *Germany*; and those of *Rameilles*, *Oudenard* and *Tanieres*; and the famous Sieges and forcing the strong Towns of *Menin*, *Lisle*, *Tournay*, *Ypres*, *Mons*, *Douay*, *Bouchain*, &c. in *Flanders*, whereby the Enemy's Armies, which, by the Defection of the Elector of *Bavaria*, had been invited and led into the Heart of the Empire, were beaten and driven out of it, and their other Armies were push'd back, from the Frontiers of *Holland*.

After which, the Victorious *Marlborough* meditated the Way to pierce into the Heart of *France*: His first Resolution was, to enter thorow the weakest Side; viz. by the Way

of the *Moselle, Lorrain, &c.* on the Side of *Germany*: But the Attempt proved impracticable, for two Reasons; first, by the Backwardness and Ill-will, of the Imperial General Prince *Lewis* of *Baden*, and by the Slowness of the *German* Troops; secondly, because the great Distance of that Rout, from the *Dutch* Frontiers, gave the Enemy the Advantage, to make Impressions on the Side of *Holland*, and to convey, into the People of that Country, Fear and Consternation: And thereupon *Marlborough* laid aside that Attempt, and resolved to attack, and did attack the Enemy, at his Horns, and pull'd them out of his Forehead, to enter *France*, and to march up to *Paris*, the shortest Way; for which End, he oftentimes Beat the *French* Army, in many general Battles, and took the Towns before-mentioned in *Flanders*, and had little more to do, but to march up to *Paris*, for the Enemy was reduced to a Truckling Inferiority, and so wounded and humbled, that he was forced to submit, and did (by his Minister *Torcy*) submit, to such Terms of Peace, as the Confederates, according to the Terms of the Grand Alliance, demanded and prescribed.

These Successes proved this Truth to be invincible; that as a *strict Union* with the Confederates, did raise this Nation to a *Superiority*, so a *Disunion* would sink it into an *Inferiority*,

Inferiority, because each Confederate *singly* was *Inferior*; but all joined together, were found to be *Superior*, to the common Enemy.

And here Notice must be taken, that General *Stanhope* did on the tenth of *June*, 1707, take Advantage of the favourable Juncture, and concluded a Treaty of Commerce with *Charles* King of *Spain* (now Emperor); whereby *Britain*, in Consideration of the Assistance, given to that King, to recover *Spain* and the *Indies*, from the House of *Bourbon*, was to have Settlements and a Commerce in the *West-Indies*, much like, what they have in the *East-Indies*, for ever excluding the *French*; by which the Expences of the War, would have been soon reimbursed.

But at this Period we must stop in Confusion, and deal in Speculations, to find out why, and for what Reasons, it came to pass, that the *English* People, came to be surfeited with *Victory*, and to nauseate the Means they had in their Hands; first, to reduce that Power, they had for a long Time dreaded; and next, to gain and secure to themselves as much of the *Trade* and *Commerce* in the *West-Indies*, as they desired: And on the other hand, to entertain such an intense *Affection* for the Common Enemy, as to account all such Men *Enemies* to the Queen,

to their Country, as delighted in Victories over him.

These Questions are hard to be answered; but notwithstanding the Difficulty, I think it not impossible to give some tolerable Account: But before I enter upon that Matter, I would offer some Reasons, why the *State of the Nation*, into which the Ministers of the late Queen, brought and left it, is represented (contrary to my Inclination) in such a murmuring Method, as will herein after appear. My Reasons are these;

The Constitution may be call'd in, for my Justification: Forasmuch as when every Parliament is opened, our Kings (by the *Speeches* which their Ministers advise and prepare for them) do usually open to the Parliament, the *Causes* of their being assembled.

The Addresses of the Lords and Commons, are the *Peoples Speeches* to the King; and because *Treaties* for War and Peace, are material *Parts* of Government, they are likewise published to the People, for their Satisfaction.

All these Speeches, Addresses, and National Treaties, and even *Memorials* of Confederate Potentates, delivered to our Ministers, may be resembled to *Accounts of Government*,

Government, because they are printed and published, for every Man's Perusal and Consideration.

We know that every Man is bound to fight for his Country, and its Trade ; or else to give part of his Substance, to pay and maintain, *Those* that do fight : And therefore every Man is interested, in the *Superior Power* of his Country, because *Superiority* is attended with Riches and Glory ; and he must be equally afflicted, at its *Inferiority*, because a weak Condition, is attended with Losses and Contempt : Now since Royal Speeches, Parliamentary Addresses, and National Treaties, and the Memorials of Confederate Potentates, are to be laid, as *Books of Account* of Government, before the People, then every Man has a Privilege, to marshal those *Accounts*, and to place them under proper Heads ; viz. The *Items* of the Ministers *good Conduct*, on the Cr dit Side, and the *Items* of their *ill Conduct*, on the Debit Side ; and then cast them up, and see on which Side, the *Balance* will be found, and whether the common Stock of Power and Reputation, stands increased or decreased.

This Privilege gives a Right to represent, the Grand Transactions of any Nation, for the Instructions of those that come after, or else

else all *History* must stand condemn'd : For which Cause, this Right to make Observations on *Accounts*, may serve as a Reason, for what is after written.

And therefore it must be remember'd, That Prince *George of Denmark* dy'd on the 28th of *October*, 1708 ; and that he, during his Life, had kept the Queen steady in the *Interest of England*, and sincere in the *Performance* of the National Engagements : But after his Death, if we may judge of Causes by their Effects, or of a Tree by its Fruits, we may conclude, that the Enemies Friends, gain'd Access to, and possessed her (the Good Queen) with Untrue, and Erroneous *Excesses* of Prerogative ; viz. That her Prerogative to make Peace, and War, was Undoubted and Unbounded ; That in those Cases, she might depart from Engagements, if Power were at hand, to execute what should be agreed. These Friends of the Enemy, also possessed the Good Queen with Evil Notions of her best Servants, and endeavoured to form in her Majesty's Mind, a Thirst after Power to model the Succession : And for this End they labour'd to insinuate an Opinion, That the *Efforts to beat down the French Power*, and to wrest *Spain and the West-Indies from the House of Bourbon*, would raise other Potentates, to cross some new Intentions.

The

The Soil, in which these Tares were sown, being productive, the Good Queen was bended, to give into those Sentiments, and was by them induced, to lay aside those Measures, which had produced Effects, glorious and prosperous, and to suffer others to be taken, that led to their Contraries: But no Man can think of, or contemplate, without Astonishment, the *Scene of Inconsistencies* that ensued.

In this Place it is to be observ'd, that there was in *England*, One Gentleman, qualified (almost to a Miracle) to bring to pass these Undertakings: He was descended of an Ancient, and Honourable Family; he had quick Parts, good Reading, and an aspiring Genius; he had gain'd an extensive Interest, by his plain familiar Behaviour, Flexibility and unaffected Dexterity: But the grand Ability he had acquired, was an Art to deal in Obscurity, and speak and write in such plausible, but inconclusive Terms, that the Reader might from them, infer and believe, with Pleasure, his own Wishes, and yet be disappointed.

This was the accomplish'd Statesman, who had the incomparable Faculty, *not to do* great Things, but *to undo*: He therefore engaged, that if the Queen would delegate
into

into his Hands her Regal Power, he would compass all, She desired or aimed at ; and She comply'd, and committed the whole Power to his Conduct : And now by the Names, Manager, Prime Minister and Cabal, this Person, and his Assistants are to be distinguished.

There was, at this time, no Person in the World, so fit and proper for the Manager's Purposes, as Count *Tallard* a Prisoner of State, taken and led by Duke *Marlborough* into, and kept in the Heart of *England* (at *Nottingham*), and his Agent the *Sieur Gualtier*, a *French* Priest in *London*, thro' whose Hands passed, all *Tallard's* Letters, to and from *France*. This concealed Manager, by the Means and Assistance of the Count and the Priest, did, in a short time, after the Prince's Death, and in Breach of the *grand Branch* of the National Engagements, Treat with the Enemy *separately*, and made with him a *Secret (but Fatal)* Agreement ; which, if Causes are to be known by their Effects, consisted (as appeared by the Sequel) of four particular Measures, (as they were called) to this Effect :

1. *That the Prize* contended for, viz. *Spain* and the *West-Indies*, should remain to the House of *Bourbon*. The Iniquity whereof appear'd the more shocking, because it imported

imported a Conspiracy to dispossess, our own Ally, *Charles of Austria* King of *Spain*, as well as from our own Danger, accruing from such an Increase of Power, in the House of *Bourbon*.

2. *That a Disunion of the British Forces*, from the Confederates, should be the only Means, to prevent the *Recovering Spain* and the *Indies*, from the House of *Bourbon*; and that for that End, the *Unparallel'd Marlborough*, and the other Sagacious and Inflexible Ministers, should be displac'd; but the *Disunion* itself was, for the present, to be kept inviolably secret, and, if Occasion required, denied.

3. *That in Return* for these unexampled Advantages, the Enemy should do some grand Service, for the *British* Ministers, which should be a *Coup d' Eclat*, that could not be executed, without Power at Hand to effect it; but the Secrecy of it was to be kept inviolably.

But tho' that Effort was brought to the Point of Execution, it failed, and so hath not as yet been fully detected: However, if Substance, may be collected from Circumstances, there is Reason to believe, that the *Coup d' Eclat* was, that the Enemy should furnish a *Spunge* to wipe out the Publick Debts,

Debts, and yet continue on the Funds, as a *Revenue*, to render Free Parliaments uselefs; for it may be remembred, how the *Landed Interest* was, in those Times cried up, and the *Mony'd Interest* decried: Which inferr'd, that the *mony'd People* might, for their Readiness, to advance Money to carry on such a War, and such Victories, be treated as Offenders; and that, by a *Spunge*, a proper Chastizement might, without offending the Landed Interest, be inflicted; for the Notion of a *Spunge*, was in those Times plentifully whisper'd; and some fear'd, that if it should be the Fruit, of a *French Assistance*, it might prove irretrievable.

It may be also remembred, that the Enemy, by Letters dated in or about March, 170⁷/₈, signified to all the Neutral Potentates, That by his Assisting, and Placing the Pretender, on the Thrones of England and Scotland, all his Wishes would be intirely accomplish'd: And who can say, that the British, and the French Wishes, did not soon after concur and conspire, in this, as well as in other Proceedings.

4. *That since these Transactions, according to the then furious Temper of the People, would be (in all Probability) at first disliked and condemned, and, perhaps, punished; the Manager was to have Time*
for

for *Negotiation*; in which he undertook, to *change* the whole Sense of the Nation; and to disarm and subdue, Those who *delighted in Victory and Trade*; and to arm the contrary Party; and, for that End, to *change* the Ministers, dissolve the resolute Parliament, and gain such a new one, as would be well inclined, to leave *Spain* and the *West-Indies*, to the House of *Bourbon*; notwithstanding the Danger of such an *Union*, and notwithstanding the Breach of the *principal Branch* of the National Engagements; and the Enemy was, in the mean time, to act on the Defensive, and ward off Duke *Marlborough's* Pushes.

Whoever considers these Terms, may apparently perceive, That the private *Principle*, laid down by the new Contracting Parties, at the *Commencement* of this separate Treaty, was, a *Division* of the Confederates, in order to leave to the Enemy, *Spain*, and the *Indies*.

But then, another Inference, is equally apparent, *viz.* That the Enemy was apprized, that the Queen was under a solemn Engagement, not to Treat separately, without first Imparting to her Allies, and Consulting them, about her Intentions. And yet this Enemy advised, and perswaded the Ministers, to Treat separately, in Breach of
that

that Engagement : Which may for ever, be made use of, as a full Estoppel to the *French* Court, to find Fault, if any, in Alliance with her, should ever do the same Thing, by her, as she herself advised, and perswaded to be done, to her Neighbours.

I know, that Court will evade that Estoppel, by saying, The Reason of that Advice, was, to save themselves, in the last Danger. And it must be owned, That whenever that Reason is true, the Excuse will appear substantial.

And as to the *Truth* of these Particulars, they are proved, by the Sequel : For every Thing, that was to be done, to secure *Spain* and the *Indies*, to the House of *Bourbon*, and to hasten the *Disunion*, for that End, was done. And, consequently, we may conclude, That every other Thing, that was to be done, by the Enemy, to gratify the then Ministry, would be also done.

But, by this secret Agreement, the Ministers were brought under this miserable *Dilemma*, either to submit to, and pursue the Enemies Directions ; or else the Enemy had Power, by exposing to the other Confederates, the Ministers secret Measures, to make his own Advantage ; which put the Ministers, under the Enemy's Direction :
And

And under this *Dilemma*, the Enemy, with an Air of Sincerity, but under a Sense of his own Disability to act otherwise, sent his Prime Minister, *Torcy*, to the *Hague*, in the Latter-end of *April* 1709, to Treat on Preliminaries, and to go with the Allies Hand in Hand, the whole Length of their Aims, and to agree verbally ; but, at the last Pinch, to refuse to sign : Which *Torcy* dexterously performed ; depending on the secret Concessions at *London*, to find Means to compass the promised *Disunion*.

For the Enemy accounted of the new secret Manager, and his Partizans, as his Property, or as Captives and Instruments in his Hands, to restore him to the State of a Conqueror.

The Enemy continually call'd upon the Manager to procure (according to his Promise) *Marlborough* to be disgraced, as the principal Article on which he depended.

The Manager, on his Part, was not Remiss ; for he, and, by his Instigation, his Emissaries, first began to Disparage the Buildings at *Blenheim-House* ; and rightly judged, That when the Reward of Victory was vilified, *Victory* it self would be disliked : And He (in Imitation of *Hanno* the *Carthaginian*, who, in the Senate,
F aspersed

asperfed the *Victorious Hannibal*) procured it to be whisper'd, that a *Peace* with the Enemy was neceffary, becaufe the Duke of *Marlborough delighted in War*, and to be incompaffed with Legions, and might probably make ufe of thofe very Forces, that were raifed to *refcue Spain* and the *West-Indies* from the Houfe of *Bourbon*, to ferve for fome dangerous Purpofes.

But the grand Engines, which the Manager projected to carry on his Design, were to revive and maintain thofe Principles that are *inconfiftent* with the Eftablifhment of the Succeffion in the Proteftant Line.

It is therefore admirable to fee, how dexteroufly the Manager carry'd on his Scheme, and found for every Purpofe numerous Instruments. His Project, to embroil the Nation with Difputes, about the Juftice of the *Revolution*, fucceeded to his Wifhes ; for he inftructed certain Gentlemen to revive and maintain, by Writing and Preaching, the Spirit of blind Obedience, and to couch it in the Infnaring Doctrines ;

1. Of *Paſſive Obedience*, and *Non-Refiſtance*, in all Cafes, without Exception.

2. The

2. The Notions of *Indefeazable Hereditary Right*.

Which two Doctrines would prove Batteries levell'd Point-blank at the *Revolution*, and at all the Structures built upon it; and consequently, against the *Queen* herself, but that they should be secure against her taking Offence.

3. To insinuate, that the Church of *England* was in Danger, from Men of *Revolution* Principles; as if those Principles were incompatible with the *Church's* Interest and Constitution.

The Manager was very well apprized, that great Numbers of the Laity, and the far greater Number of the Bishops and Clergy, had *opposed* with all their Power, the *Votes of Abdication, and Vacancy of the Throne*, and were for returning under the Government of a *Popish Successor*; and therefore he rightly judged, that some of the Clergy, if he could make them believe the Queen was, in Masquerade, on their Side, would soon raise a general Combustion, and that would irritate the Ministers of State. And (as he projected) so it came to pass; for the Ministers, with too much Precipitation, caused Dr. *Sacheverell* to be

Impeached for High Crimes and Misdemeanors, for preaching, That that Resistance, which effected the *Revolution*, was as *Black and Odious* as *Rebellion*.

The *Doctor* was, indeed, Tried, and Condemned; but so tenderly Punished, that his Party look'd upon it, as a *Deliverance*; because the Impeachment ought to have been for *High Treason*; forasmuch as he preached, That the grand Security of the Government, and the very Pillar, on which it stands, is founded on the steady Belief of the Subjects Obligation to an *Absolute and Unconditional Obedience*, to the Supreme Power, (meaning, the Power of the King, as Supreme Governor, for we have no other Supreme Governor) and of the utter Illegality of *Resistance*, for any Reason, or for any Pretence of Reason, whatsoever.

For this Doctrine removed all the Boundaries in Government, that had been fixed between the *Governor* and *Governed*, and was the *very Treason*, for which *Tresilian* and *Blake* were, in the Reign of King *Richard the Second*, Condemned, and Hang'd at *Tyburn*, and for which the *Doctor* ought to have been Impeached: And in that Case, the Remedy would have cured the Malady.

But

But the Doctor having thus *Escaped*, he made a Triumphant Progress through several Counties, where he was attended with Multitudes, who spared no Pains, to testify their Belief and Adherence to his Doctrines. Which was amazing ; because, if what Lord Chief Justice *Fortescue* writes, is true, *viz.* That *Liberty* is by God Himself ingrafted in Human Nature, and that *Slavery* was introduced by odious Crimes ; Then what must we say of this Preacher, and his Patrons, but that they were the Introducers of Slavish Measures ; and that his Profelytes were Accessories ? And therefore this *Doctor* could be no Gospel-Preacher.

These surprizing Proceedings enabled the Manager to give the Enemy *vast Comfort*. But as to Disgracing the Great *Marlborough*, that Effort was too hazardous to be at present attempted. However, this Manager persuaded, That, by his Conduct, sufficient Power was now acquired, to perform to the Enemy his secret Engagement ; but the *Parliament* must be first *changed* ; and that could not be effected, without a *Change* first made in the *Ministry* : And for that End, and to make the first Step, he framed, for the Queen, a Letter, which Her Majesty wrote with her own Hand, dated 13th of

April 1710, and sent it to Lord Treasurer Godolphin, then at *New Market*, wherein the Queen, with unkind Words, vexed her Able and Industrious Minister, who, with the utmost Fidelity and Zeal, had done his Part, to raise her *Glory* above all her Predecessors, and to bring her haughtiest Enemy to be her Footstool.

The Letter was to the Effect following, *viz.*

“ I am sorry to find you are so much in
 “ the Spleen, as to think you cannot con-
 “ tribute any thing to My Service, but
 “ your good Wishes: However, I will still
 “ hope you will use your Endeavours. I
 “ have resolved to part with the *Chamber-*
 “ *lain* (Duke of *Kent*), and hope this
 “ Change will meet with your Appro-
 “ bation, which, I wish, I may have
 “ in all My Actions. I have not yet de-
 “ clared my Intentions, that the Duke of
 “ *Shrewsbury* shall succeed; because I
 “ wou’d be the first, that should acquaint
 “ you with it.”

No Treatment could carry with it more Indifference or Weariness on one Side, nor be better Understood on the other; and, doubtless, the true Meaning of it was, That the Duke of *Marlborough*, then in *Flanders*,
 shou’d

shou'd immediately have one Copy : But who was to have another, is not difficult to imagine.

In *Answer*, the Lord *Godolphin* return'd a Letter, dated 15th of *April* 1710, in such becoming and strong Expressions, testifying such a Firmness to Her Majesty's *Glory*, and the true *Interest* of his Country, as surpass'd all former Examples ; and may be, in some sort, resembled, to what *Joab* said to his Master *David*, in a Case not unlike. The Letter was to this Effect ;

“ That, what Her Majesty was pleased
“ to call *Spleen*, was only the true Impulse
“ and Conviction of his Mind, That Her
“ Majesty was suffering Herself to be guided
“ to her own Ruin and Destruction, as fast
“ as it was possible for them, to whom she
“ so much hearkened, to compass it.

“ That he was not so much Surprized,
“ as Concerned, at the Bringing-in the
“ Duke of *Shrewsbury* : For when it was
“ found too difficult to think of *Dissolving*
“ the Parliament, which had, (in View of
“ a speedy End) redoubled their Efforts,
“ to support and finish this War, upon
“ which Her Majesty's Crown depended,
“ they had the Cunning to contrive this
“ Change, which would put Her Majesty
F 4 “ under

“ under a Necessity to break that Parlia-
 “ ment ; (meaning, that the present vi-
 “ gorous Parliament, and such a new Mi-
 “ nistry, were inconsistent).

“ That this *Change*, wou'd make every
 “ Man, then in Her Majesty's Cabinet,
 “ Uneasy, and run from it, as from the
 “ Plague.

“ He desir'd Her Majesty to consider,
 “ how her Allies would think the War
 “ would be carry'd on, *by Those who had*
 “ *all along obstructed it* ; and who would
 “ like any *Peace* the better, *the more* it
 “ should leave *France* at liberty to *impose*
 “ *the Pretender*.

“ That this *Change*, would make *Hol-*
 “ *land* run into a Separate Peace ; That it
 “ would make the Queen *lose* all her Honour
 “ and Reputation ; That it would make
 “ the Nation *lose* all the Fruit of their vast
 “ Expences, and all the Advantage (mean-
 “ ing *Security, Trade, and Commerce*) they
 “ had so fair a Prospect of obtaining.”

But it is observable, That the Prime
 Minister became at this time fond of the
 ambiguous Word *Measures* ; for it appears
 by the Sequel, that he kept *divers Mea-*
sures. The *first Sort*, were Pretences to
 pursue

purſue the National Engagements, and to be uſed on all Publick Occaſions, and may be termed *Uniting Measures*: But the *latter* were to be the *real* (I mean, *Disuniting*) Measures, inconſiſtent with thoſe Engagements, and contrary to thoſe Pretences, and were to be ſtrictly concealed, 'till Affairs wou'd make it *ſafe* to own them; and for this End, he injuriously added the Epithet (*Queen's*), and cauſed them to be called, unjuſtly, (the *Queen's Measures*); to the End, that whatſoever ſhould be found *diſreputable*, might paſs from him, to Her Majeſty's Account.

Subſtantial, therefore, was the Reason, why the *latter* ſort of Measures were ſo carefully ſecreted: For if the *Diſunion*, or the Deſign of it, had taken Air, that is, if the Intention to Ruin the Allies, and Raiſe the Enemy to be a Dictator, had been at firſt known, all Men had ſtarted back, at the Sight of ſuch an Abomination, and the fatal Separation had, probably, been prevented.

But the Miniſter, having obtained the immense Power and Authority he wanted, he proceeded roundly, in *changing* the old Inflexible and Victorious Miniſtry: His *firſt* Step was, on the 14th of *June* 1710, to diſplace Lord *Sunderland* from being Secretary

Secretary of State; and to palliate the Disgrace, he caused a Pension to be offered. But that Lord, like an old *Roman*, refused it; saying, *If he could not Serve his Country, he would not Plunder it.* But this Step was apprehended to be but a Step to come at *Godolphin*, Lord Treasurer, in whose Preservation the whole Confederacy was concerned.

The Citizens of *London* feared, That by *changing* the Ministry, the Power, and (with it) the Trade and Commerce of the World would be transferred and fixed in *France*; They therefore made Application to the Queen, representing those Fears.

To which the Queen gave this Answer, “ That she had, for some time before, resolved to remove the Earl of *Sunderland*, “ for particular *Reasons of State*; but that “ she had not yet determined to make any “ *other Changes.* ”

However, the Citizens willingly believed the *latter Part*, and spread in the City that Report; which proved a gross Disappointment. For the Grand Minister soon corrected the Citizens Mistake, by sending abroad a Whisper, That not only Lord *Godolphin* was to be laid aside, but the Parliament *Dissolved.*

The

The *Emperor* and the *States General*, who had trusted their Powers in Fellowship with the Queen, represented to Her Majesty, in the most respectful Terms, the bad Influence the *changing* her successful Ministry, would have on Affairs Abroad.

To which the Prime Minister, endeavouring to conceal his Scheme for a *Disunion*, prepared for Her Majesty, and advised her to give, and she (as it is printed) did give to the *Imperial* Minister this Answer, "That whatever *Changes* She design'd to make, She had *resolved to Continue* the Duke of Marlborough in his Employments; and desired that Prince Eugene, and the other *Imperial* Generals and Plenipotentiaries, might act with him in a *strict Union*, and with the same Confidence, as ever."

But to the *Dutch* Minister, She gave (as it is printed) an Imperious Answer; thus: *I am surprized, a Matter of this Kind should come from the States; It is the greatest Insult that was ever offered to the Crown of England: However, it shall not lessen My Esteem of My Allies, nor alter My Resolution in My Own Affairs, (i. e. not stop the Changes).*

Soon

Soon after, the Minister doubled his Steps, and, on the 9th of *August* 1710, caused Lord *Godolphin* to be removed from being Lord Treasurer; and, in a few Days, a *thorow Change* to be made in the rest of the Ministry; and the Parliament to be *Dissolved*, and the new Elections to be carry'd on, with all the extraordinary Means that Power and Treasure could furnish; and, by exquisite Arts and Amusements, a Majority of Gentlemen (who, as the Sequel proved, wou'd act with Zeal, to Countenance every Step, that tended to a *Disunion*, and to leave *Spain and the West-Indies* to the House of *Bourbon*) were Returned, to serve in Parliament.

This was the Enemy's *Day of Comfort*: He had, from thenceforth, nothing to fear; for he saw the Power taken out of the *Hands* of his obstinate Enemies, and placed in the *Hands* of such Gentlemen as, he knew, were far from delighting to Beat him, or Wrestling the Prize (of *Spain and the West-Indies*) from the House of *Bourbon*: And the Enemy was neither mistaken, nor disappointed.

The Ministry advised and framed a *Speech*, which the Queen delivered from the Throne on the 27th of *November* 1710, wherein

wherein Her Majesty expressed Herself in general Words ; viz.

I doubt not but to find such Returns of Duty, as will add new Life to our Friends, and entirely disappoint the Hopes of our Enemies. The Eyes both of Friends and Enemies are upon you. The Way to give Spirit to the one, and to defeat the restless Malice of the other, is, to Proceed in such a Manner, as becomes a British Parliament. I am resolved to preserve the British Constitution. I shall Employ none but such as are heartily for the Protestant Succession in the House of Hanover.

The People apprehended, That this Speech meant, by *Friends*, the *Confederates* ; and by *Enemies*, the *French* : But they misunderstood it ; for the Words *Restless Malice*, were not proper to be applied to the *French King* ; because he was a known, and open, and a restless Enemy : The Speech therefore meant *other Friends*, and *other Enemies*, than the People apprehended.

The Meaning of this Speech was pretty well understood in the House of Lords, where the Motion, To give Thanks to the Duke of Marlborough, for his Victorious Campaign of 1710, was opposed, and dropt,

dropt. But the Duke's *Delight in Victory*, and his Zeal for the Common Cause, and to win the Prize from the Enemy, made, That he Overlook'd and Despised the Affronts put on him, and on his Dutcheſs, and other Friends, and hinder'd him Not to act the *Patriot*, who ſacrifices all to the Publick Good ; and therefore he ſuppreſſed his Reſentment, without reſigning his Commiſſion, (as the Miniſter expected). Which Complaiſant Demeanor ſo overcame the Queen's Perſonal Good-Nature, that She, contrary to all Expectation, did forbear, at preſent, to remove the Duke from the Head of the Victorious Army. Which brought the Miniſter and the Common Enemy under no ſmall Perturbation : For the Enemy being Maſter of *Military Affairs*, was fully convinced, that the Heroic and Unparallel'd Virtue of the General (Great *Marlborough*) could not be equall'd with any other Advantage : but, worſt of all, That the *Diſunion* aim'd at, could not, whiſt he Commanded, be accompliſhed.

But ſince ordinary Affronts could not affect the Duke, the Miniſter, therefore, to quiet the Enemy, engaged to rake up ſo much *Calumny*, as would ſufficiently not only Blaſt the Duke, (and his Friends the *Dutch*, and the *Emperor*) but Gratify the Enemy, in *Discovering which of his*
Subjects

Subjects had taken the Duke's Money for Intelligence.

However, about the Beginning of *May* 1711, the Minister first began to disclose, in dark and ambiguous Terms, the first Article of the *Disuniting* Scheme, whereby *Spain* and the *West-Indies* were to remain to the House of *Bourbon*. And this Discovery was to be, and was couched, in the *Addresses* of both Houses, in these general and ambiguous Words ; viz.

“ That They (the Party) would support Her Majesty, in all the Measures She should judge proper to procure a Peace : ”
without *Disclosing* what the Nature of that Peace, or of those Measures, was ; or saying one Word about the main Article of *Spain* and the *Indies*, or whether the Measures were *Uniting* or *Disuniting* Measures : For those were Secrets, to be, at present, industriously cover'd.

The Disappointment, of Displacing *Marlborough* (the Terror of *France*) caused the Enemy to cast up such formidable Lines in 1711, to stop the Duke's Progress, as were never before erected ; insomuch that the *Gascoignading Frenchmen* gave out, That *Villars* would not be forced, by Double such an Army as *Marlborough* commanded : And the

the *Disuniting* Party at *London* gave out,
That Nothing would be done that Year.

But the Finished Captain (*Duke Marlborough*) so disguised his real Intention, by providing a vast Quantity of Fascines, and placing them in View of the Enemy's Army ; and by giving out, He intended to Force the Lines in that Place ; that he skreen'd his real Intention, and in a certain Evening put himself at the Head of his Left Wing, and marching all Night to the Left, and abandoning his Fascines, he, by Five o' Clock next Morning, passed the Lines at a convenient Distance, without the Loss of one Man ; and then marched up directly to attack the Enemy in Flank. But *Villars*, in great Consternation, decamped, and with Precipitation fled, and retired behind *Cambray*, and suffer'd *Bouchain* to be Besieged and Taken, and the Garrison to be made Prisoners of War, under his very Nose. At this time, therefore, the *British Hero* had little more to do, than to march at the Head of the Confederate Army, up to *Paris*, and give Laws to that potent Monarch who had for a long time treated his Neighbours with such an Indifference (in relation to his Acts of Power) as signify'd, he cared not whether what he did, pleased or displeased.

The

The Duke's Conduct, in Passing such Lines, in the Face of the *French* Army, and of such a General, as *Villars* pretended to be, was applauded by all *Europe*, as the greatest Instance of *Military Skill*, that had been performed in this War, either by *Marlborough*, or by any General, in any former War; and therefore this Proceeding denuded the *French* of all Confidence in their General; insomuch, that the *French* People did not think themselves safe in their Beds at *Paris*, so long as *Marlborough* Commanded. The whole Body of the *French* People clamour'd at *Villars*, as if he were a General unequal, and insufficient; but *Villars*, was by the *French* King, who was in the Secret, and knew that this Atchievement was *Marlborough's* last Effort, justified; for that *Villars* had pursued his Instructions: And however, at this time, the Ministers, if they had had any competent Parts of Circumspection, or Wisdom, might, if they had demanded the Silver Mines of *Peru* to be assigned, till the publick Debts of *Britain* should be paid, they might have had them: But, alas! such Notions or Efforts, were no Part of their Qualifications.

In *May*, 1711, the Treaty with the Common Enemy separately, being no longer a
 G Mystery,

Mystery, tho' the Terms could not be discovered, Count *Gallas*, the Emperor's Minister, expostulated about it with the prime Minister; who gave him this strange Answer, *That he (Gallas) had no Reason to be alarm'd, for the Queen would never (as he affirm'd) make a Peace derogatory from her Engagements.*

Yet notwithstanding all the Speeches, Messages, Answers, and Declarations of the Ministers; and, in Contradiction to them all, and in an avowed Violation of the National Faith, such Preliminaries for a Peace, signed by Monsieur *Mesnager*, were, on the 13th of *October 1711*, published, as *France* had imperiously prescribed, and the *British* Ministers had secretly submitted, and agreed to; and Mr. Secretary *St. John*, condescended to be the Instrument (or Captive) in the Enemies Hand, to communicate the same to the Confederate Ministers.

In these Preliminaries, the first Article of the Secret Agreement was set out obscurely and ambiguously, (*to wit*) That the *French* King wou'd consent, *bona fide*, to the taking all *just* and reasonable Measures for hindring, *that the Crowns of France and Spain might ever be United on the Head of the same Prince.* These Preliminaries, were so worded, to the End, that the Emperor might,

might, (if he pleased, and as he would be inclined to do) fancy, that some Prince of the House of *Austria* was intended for the Crown of *Spain*, and yet be disappointed : Which is a full Proof, that the Ministers not only delighted in Dealing, but in those who Dealt, in Fallacies. All the rest of the Terms, were conceived, in general, uncertain, and insidious Expressions ; but especially, that about *Dunkirk*, is remarkable ; viz. The *French* King was willing to engage, to Cause, (meaning that he himself would Cause) the Works at *Dunkirk* to be demolish'd, immediately after the Conclusion of the Peace, on Condition that, for the Fortifications of that Place, (but not for the Place itself) a proper Equivalent (that may content him) should be given him.

Here the Demolition is to be made, and perfected by the Enemy, and by no other, and in such manner as an Enemy pleas'd : But first, he is to be made content with an Equivalent, and to be *Judge* of that Equivalent ; and consequently, to be his *own* Carver, and to have the Choice of such Towns, lately conquer'd, as *best* pleas'd him, restored, as the Equivalent.

In the Time of this Ferment, on the 28th of *November* 1711, just eight Days before the Opening of the Parliament, *Baron*

Bothmer, as Envoy from the Court of *Hanover*, presented a Memorial, compos'd of the *best Language, and soundest Reasoning*, of any that were made, during this Crisis; for in it, he handsomely excused his Master's forbearing to call the *Hanover* Troops out of *Flanders*, in Pursuance of her Majesty's Permission; (apprehending that that Permission meant to draw his Master in, to make the *first Step* towards the fatal *Disunion*, and then load him with the Reproach).

He modestly censured the Preliminaries, published in *October*, 1711, for offering no positive Declaration, or real Security; and, at the same time, commended, and preferr'd the former Preliminaries; which so provided for *both*, that the *French* Haughtiness and Chicanes, could not encounter, or avoid them.

He pressed the Consideration of this Consequence, that if a *Disunion* happen'd, and if *Spain* and the *West-Indies* were left to any Prince of the House of *Bourbon*, *France* would in a few Years, be sufficiently reinforc'd by *Spain*, and the Riches of the *West-Indies*, to enslave *Great-Britain*, as well as all *Europe*; which he urged from the Difficulty to avoid that Slavery, even at this Time, when all their Forces were united.

The

The Baron propos'd, That his Master should procure the new Emperor (*Charles*) to enter into new Engagements, touching the *Disposition* of *Spain* and the *Indies*, to remove all Surmizes against placing those Countries under the Emperor of *Germany*.

He very wisely hinted, That the *South-Sea Trade*, now offer'd, would last no longer, nor be carry'd on in any manner, but as *France* and *Spain* would please to permit.

He argued, That *France* and *Spain*, united under one Family, ought to be consider'd, as one Potentate, and that *Spain* could never resume its Independence, and that no Treaty, no Renunciation, could bind *France* any more, than the Renunciation at the *Pyrenees*, the Treaty of Partition, and the acknowledging King *William* for King of *England* had bound him. He reminded the Queen of the *French* King's unwearied Endeavours, to place his Creature on the Throne of *Great Britain*, (meaning to Depose the Queen); and that his Master, the Elector, could not look on these Proceedings with Indifference.

Above all, he argued, That a Cessation of Arms would be most fatal, because it would enable the Indigent, Exhausted, and Van-

quish'd Enemy, to carry the *Prize*, and to get out of War, by a Peace, Glorious to him; Ruinous to the Victorious Allies, and Destructive of the Liberty of *Europe*, in acquiring Power to give a King to *Spain*, and to impose one on *Great Britain*.

This was a most firm, and wise Memorial, if any Reason would have been regarded: But who can say, the Ministers did not use it to exasperate the Queen, by suggesting, that the Memorial signified, That if They, (the Ministers) proceeded in their separate Treaty, to give up *Spain* and the *Indies* to the House of *Bourbon*, it would subject *Britain* to the superior Power of *France*, and would deprive the Protestant Successors, and infer Queen *Anne's* Abdication; for Mr. Secretary *St. John* could not forbear having a warm *Eclaircissement* with Baron *Bothmer*, for its Publication.

But all was in vain, for the Ministers being deaf to all Reason and Persuasion, they hector'd the *States-General* to send Plenipotentiaries to the Congress at *Utrecht*, and to treat of a Peace on the Foot of those most pernicious Preliminaries. The Grand Minister at this time, tempted the Earl of *Nottingham* with Rewards, to Truckle, but in vain; for that Earl was superior to all
Temptations,

Temptations, and could never be brought to approve the Depravity of the intended Turning the Tide of Victory by a *Cessation*, or a *Disunion* from the Confederates, or the giving up *Spain* and the *West-Indies* to the House of *Bourbon*.

At the Opening the Sessions of Parliament, on the 7th of *December* 1711, the Speech from the Throne disclos'd, who were meant in the former Speech of the 27th of *November*, 1710, to be the *Enemies*, (i. e.) those who delighted in War, (meaning the Duke of *Marlborough* and his Adherents, who push'd on the Victories, to win the Prize of *Spain* and the *Indies* from the House of *Bourbon*) and consequently the *Friends* mention'd in that Speech must be the contrary; viz. Those who delighted in *Turning the Tide*, by the *Disunion* of the Confederates, and in giving the Enemy, what of all Things he wanted and most desired, (i. e. *Spain* and the *West-Indies*); for the Words are these: *I am glad I can now tell you, that, notwithstanding the Arts of those who delight in War, both Time and Place are appointed for opening a Treaty for a General Peace.*

This Speech, mentioned the Interest of the *States-General* as inseparable from the Queen's; but, *quo Animo?*

Immediately after the Speech, the Queen came back, and sat in the House of Peers incognito; where she heard, her Treating with the Common Enemy separately, inveighed against by the Earl of Nottingham, viz. That the Preliminaries, which the Ministers had caused to be published, as agreed to, were not only fallacious, and dangerous, but contrary to the principal Branch of the Engagements Great Britain had enter'd into: Which Engagements (he vehemently urged from the Principles of Honour and common Honesty, and for our common Safety) ought to be made good. And the Earl concluded with a Motion, That in order to explain the Queen's Speech, and those Preliminaries, this Clause ought to be added to the Address; viz.

That that House was of Opinion, and accordingly advised her Majesty, That no Peace could be safe or honourable to Britain, or Europe, if Spain and the West-Indies were to be allotted to any Branch of the House of Bourbon.

But this Motion of Lord Nottingham was very much oppos'd; and amongst others, by a certain Lord, who affirm'd, *That we might have enjoy'd the Blessing of Peace, soon after the Battle of Ramellies, if the same had*
not

not been put off, by some Persons, whose Interest it was to prolong the War.

Thus was the Victorious Hero *Traduc'd* and *Vilify'd*.

Earl Nottingham's Motion was carry'd by six Votes: And, in Answer to the Addresses, the Queen said to the Lords, *That she should be very sorry any one could think, she would not do her Utmost to Recover Spain and the West-Indies from the House of Bourbon.*

This Answer was a full Acknowledgment, That the Chief Inducement to begin this War, was, to Recover *Spain* and the *West-Indies* from the *House of Bourbon*, or else nothing can be an Acknowledgment.

And moreover, this Answer seems to be a full Denial of the Fact; viz. That the Ministers had *Treated separately*; or that any *Treaty* had been commenc'd, for Giving up *Spain* or the *Indies* to the Enemy: And therefore, ordinary Men believed, that the Queen, by her Speech, and by the Preliminaries which Mr. Secretary *St. John* had published, did mean, that she knew the Enemy would consent *bona fide*, to the parting of *Spain* and the *West-Indies* from the *House of Bourbon*.

The

The Lords pursued their first Effort, and on the 22d of *December* 1711, Resolved, and presented another Address to the Queen, advising, and praying her Majesty, to give *Instructions* to her Plenipoteniaries to concert Measures with the Allies, (before Opening the Congress) to preserve a *strict Union*, and to procure them to be *Guarantees of the Peace in general, and of the Protestant Succession in particular.*

These two Addresses diametrically contradicted the *Disunion*, and the Giving up to the Enemy, *Spain* and the *Indies*: And therefore to this Address, the Queen gave an Answer as dissatisfactory as was her former; viz. *She thought her Speech to both Houses would have given Satisfaction to every Body*: And her Majesty answer'd, That she had already given such *Instructions* to her Plenipoteniaries, to preserve a *strict Union*, as that Address desired.

This Answer amounted to a *full Denial* of this Fact, That any *Disunion* had been treated of, separately.

But the Party among the Commons, which delighted in Turning the Torrent of *Victory*, by a *Disunion*, and in Giving up *Spain* and the *Indies* to the House of *Bourbon*, being strong, it was moved, and
carry'd

carry'd by 232 against 106, That they, by their Address, should assure her Majesty, that they would *disappoint* the Arts and Designs of those, *who might delight in War*, (meaning the present Victories) or *might vainly entertain Hopes of receiving Advantage from any Division among them* (the Commons). This Address was amazing, for that Party in the House of Commons could not shew themselves better affected, or more firmly attached to the separate Measures concerted for a *Disunion*, and for *Giving up Spain and the Indies to the Enemy*, than that Address amounted to.

However, the two Addresses of the Lords put the Great Minister, and his Cabal, into grievous *Agonies*, lest the Lords, at their next Meeting, (which would be in so few Days, as the second of *January 1711.*) should come to more *vigorous Resolutions*, and, perhaps, might treat the Authors, for their Unjust Negotiations, as State-Malefactors.

The Prime Minister therefore, in order to divert the Parliamentary Proceedings, *advised the Queen* to proceed to an extraordinary *Exercise of her Prerogative*; viz. To Elect (and she did Elect) twelve Great Men, whom that Minister knew, were devoted to his (the Minister's) Measures, and
to

to grant to them the Dignity of Noblemen, and to pour them altogether, in one Day, into the House of Peers : And Mr. Secretary *St. John* threatned (as *Boyer* writes) That if those twelve were not enough, They (meaning the Cabal) would have given Them (meaning Duke *Marlborough*, and Those who delighted in Victory) another Dozen. But whether this Exercise of the Prerogative was strictly legal, or not, I will not presume to say the least Thing in Disaffirmance.

But this I may adventure to say, That all the Motions and Arguments to Carry on the Victorious War, and to Recover *Spain* and the *West-Indies* from the House of *Bourbon*, and, for that End, to preserve a *strict Unian* among the *Confederates*, vanished, and were never more heard of.

The Description of this Scene would be defective, without taking Notice, how the Party proceeded in the House of Commons : For the Obsequiousness of that Party, in that House, exceeded the Queen's Speech, and gratify'd the Common Enemy beyond his own Expectations ; and, above all, they were very Officious, to find out, or rather, to create Pretences, to Asperse and Disgrace Great *Marlborough*, of whom the
Enemy

Enemy could not, without Terror, think, or contemplate ; for they knew, that *Intelligence* was the Handmaid to Victory, and that Money was the Wages to that *Handmaid* : And therefore that Party voted, That, *that very Money*, which was allowed the General (*Mariborough*) for gaining *Intelligence*, was *Public Money* ; and, as such, ought to be Accounted for ; and that a *Discovery* ought to be required, how, and when, and to whom, that Money was applied ; and accordingly, they *Ordered an Information* to be prosecuted in the Court of *Exchequer*, against the Duke, to compel him to make that *Discovery*. As if He, for being Victorious, and for endeavouring to rescue from the Enemy *Spain*, and the Riches of the *West-Indies*, was, for that Reason, a Malefactor, and an Enemy to the Queen, and to his Country.

This Proceeding, could mean nothing, but, first, to *discover* to the Common Enemy, *which* of his Subjects had taken the Duke's Money for *Intelligence* ; and next, to furnish the Ministers, with a Pretence to do that Thing, which he (the Enemy) above all Things, wanted, and desired ; I mean, their procuring *Marlborough* to be *Disgraced*. And accordingly, the Queen, being present in Council, on *Sunday* the 30th of *December* 1711, it was
Declared,

Declared, and Entred in the Books, "That
 " Her Majesty being informed, That an
 " *Information* against the Duke of *Marl-*
 " *borough* was laid before the House of
 " Commons, *by the Commissioners of the*
 " *Public Accounts* ; Her Majesty, there-
 " fore, thought fit to *Dismiss* him from
 " all Employments, that *that* Matter might
 " take an *Impartial Examination.*" And,
 in Execution of this Order, Her Majesty
 sent the Duke a Note, *written with her*
own Hand, whereby she resumed all his
 Employments. And thus the Victorious
Marlborough, was (with the Wooden
 Sword of the *Commissioners of Accounts*,
 after all the *French* Swords had been re-
 bated) *Disarmed* ; and, with Him, all
 Hopes, of Recovering from the Enemy
Spain and the *Indies*, vanished.

And in this Manner, the Common
 Enemy, by one Stroke of Lord *Oxford's*
 Arm, put to Flight that *Victorious Hero*,
 who had defeated his Armies, and forced
 his Towns, and carried into his Countries
 Fear and Consternation : For which Rea-
 sons, the Ministers accounted him their
 greatest Enemy ; because his obstinate
Delight in Victory, and his Zeal to Rescue
 from the Enemy *Spain* and the *Indies*, cou'd
 not otherwise be overcome.

It would therefore be injurious to Britain, if I should omit to say, what I can, of her Incomparable Hero: But I want the Pen of a Plutarch, to compare him with those Admired Captains, Alexander and Julius Cæsar, and to give him his just Precedence. For if that Rule of War be true, viz. That He, that would find the exact Pattern of a Great Commander, must look upon such as have Encountred Worthy Captains, and those better followed than Themselves, and have Over-topt their Enemies Well-Disciplin'd and Well-Armed Troops. For it is a Work of much greater Military Skill, to master the Equal Forces of One Hardy and Well-Ordered State, than to subdue a Multitude of Servile Nations; and therefore such Men as have done Much against Enemies of Equal Abilities, are to be regarded as the most Accomplish'd Captains.

I say, If that Rule be true, Then Great *Marlborough* hath discover'd to the World, what was never before known: For the *French* Generals, and their Armies, had been bred up, for (almost) an Age, in successful Wars, and, by long Experience, and by the Encouragement and Rewards of a most Aspiring and Potent Prince (*Lewis* the Fourteenth), had Improved the Art of War, and the Discipline of their Troops,

Troops, beyond any Nation that ever preceded ; and accordingly, the *French* had made War, and Contended, with all their Neighbouring Potentates, and gained *Much* from every One of them, and, as an Addition to their Advantages, their Armies were united under the Command of one single Potentate ; whereas, it is observable, Duke *Marlbrough's* Army was composed of Different and Jarring Nations, whose Principals were *Independant*, and, consequently, their Commands might be (and sometimes were) *contradictory*. It is observable also, That the Great *Roman* (*Cæsar*), to whom *Plutarch* gives the Precedence, was, in his Siege of *Dyrachium* (where He himself Commanded) so Baffled and Beaten off by *Pompey*, and his *Romans*, that *Cæsar* himself confessed, That if *Pompey* had known how to use his Advantage, he had compleated his Victory, and had, at that time, put an End to the War ; (meaning, he had intirely subdued *Cæsar*) ; and however, in Consequence of that Victory, *Cæsar* raised the Siege, and fled towards *Thessaly*, and was for some time pursued.

Whereas the Great *Marlbrough* did, with dismay'd Troops, engage the *French* Armies (who were flush'd with Victory, and better, or, at least, equally Armed and Disciplined, and more Numerous than Himself)

Himself) in many Battles and Sieges, and Vanquish'd them in All: For *Marlborough* never Fought a Battle, or Besieged a Town, or attempted to Raise a Siege, but he Won the Battle, Took the Town, and Raised the Siege: Which cannot be said of Great *Cæsar*; and therefore Great *Marlborough* was, by much, the Greater Captain.

The Ingratitude and Abuse towards the Victorious *Marlborough*, was mixed with the most intense Spight and Envy; for the Ministers endeavoured to *Vilify* the *Hero*, by *changing* the very *Means*, he had (in Part) used, to obtain *Victory*, into *Criminal Practices*: resembling the State of *Athens*, which had Treated their Ten Victorious Captains with the Vilest and most Abusive Returns:

The Fact whereof was thus; The *Lacedæmonians*, having beaten and reduced the whole Power of *Athens*, they cooped the *Athenians* up in a narrow Place, called *Mytelene*, and besieged them there, both by Land and Sea. Necessity and Distress, therefore, forced the *Athenians* to Man all their Ships; and order'd, that their Annual Governors (being Ten in Number) should issue out, as their last Effort, and *put all to Hazard*, in a Sea-Fight. The Ten
H Captains

Captains failed out of the Haven, and, at a Place called *Arginusæ*, courageously fought, and at last routed the Enemy's Fleet, killing their Admiral *Callicraditas*, and pursuing the rest of the Navy to *utter Destruction*.

Now the Popular State or Senate of *Athens*, unworthily hearkened to certain Wretches, who *accused* the Ten Captains, for *pursuing* the Enemy, without first taking Care to save the disabled Ships, whereby a great Number of the *Athenians*, who had enter'd on Board, and fought to save their Country, were drown'd.

And for that Reason, that Popular State of *Athens*, forgetting and laying aside *all Sense of their late Danger and Distress*, and the Merit of the glorious Victory and Deliverance, seized Six of the Ten Captains, (the other Four escaping the present Fury), and brought them into Judgment, to Answer the Accusation. The Six Captains made a just Defence; That they had, indeed obtained the Victory, but that the Fight was obstinate and bloody; and that when the Enemy was put to Flight, they (the *Athenian* Captains) had appointed a Squadron to take care of, and save the Men in the disabled Ships; and after that, they, in the Heat and Fury of the Engagement, *pursued* the Victory, and, according

to their Duty, had utterly destroyed such Part of the Enemy's Power as was Maritime.

By which Efforts, the *Athenians* Dread and Fear was extinguish'd. And as to the Squadron appointed to take Care of the Broken Ships ; That a *Storm* had arisen in the latter End of the Fight, which had prevented its Performance ; and, consequently, that the *Loss* came, not by any Fault in the Ten Captains, but by a *Misfortune* that was unavoidable.

But the Rage, of the Envious and Sordid Part of the *Athenians*, rejected the *Justice* of the Defence, and most unjustly *Condemned* the Six Victorious Captains, as vile Malefactors, and put 'em to Death. And yet, when the Horror of *this Ingratitude* came afterwards to stare 'em in the Face, they became Ashamed, and Reversed the Judgment, and Condemned and Executed the vile Accusers.

The Difference between the *British Ingratitude*, and that of the *Athenians*, consisted in this ;

That the *Envy and Spight* of the *British* Party, did not arise from any sudden Mistake or Misapprehension ; but from a

long and premeditated Inclination to *com-
fort* the Common Enemy, for want of
other Means, with the Ruin of *Britain*.
And such was their Attachment to Gratify
that Enemy, that they endeavour'd to find
out, and discover for him, *which of his
Subjects* had taken the Duke of *Marlbo-
rough's* Money, and had furnish'd him with
that *Intelligence*, which assisted him, so
often, to surprize the Enemy, and gain his
Victories.

The Ministers procured an Information
to be exhibited, in the Court of *Exchequer*,
against the Duke; charging, That the
Money, which was allowed him for *Intel-
ligence*, was Publick Money, and, as such,
ought to be Accounted for; and therefore
prayed, that the Duke might be *compelled
to Discover* how, and to whom by Name,
he had Applied that Money.

The Duke was Prosecuted, as a vile
Malefactor, and compell'd to put in his
Answer to this unaccountable Bill; which
he look'd upon, as the *Enemy's Weapon*, in
the Hands of the Prosecutors, to *strike him*;
and that the *Discovery* aimed at, cou'd serve
no Purpose, but to Gratify the Enemy,
and to Ruine the Duke's Correspondents,
and the *British Interest and Reputation*.

And

And therefore, the Duke turned the Ministers *French Artillery* upon themselves: He admitted, that he had *had* the *Intelligence Money*, (sarcastically call'd *Bread Money*) ; but that the Demand of a *Discovery* how, and to whom, he had Applied it, was *inconsistent* with the Service, in which he had been employ'd, and destructive of the *British* Interest and Nation, and could proceed from no other Fountain, than that of the blackest and most fatal of all Treasons.

This Defence so terrify'd, that the Enemy could not prevail with his Friends, to press the Matter farther, and therefore they dropt the Prosecution. However, the Prosecution was made, not for the *Money*, but for the *Discovery* : For the Ministers allowed the same Publick Money to the Duke of *Ormond*, to encourage a Service of the contrary Complexion ; to perform which, he could want no Intelligence.

Before I part with this Account of Duke *Marlborough's* Mal-treatment, I must remind, That *Europe* at this time labour'd with the Grand Doubt, Whether the Insincerity suspected, would issue, in turning the Tide of Victory, to the Enemy, by a Disunion ? And therefore the celebrated Captain and Hero, Prince *Eugene* of *Savoy*,

came in Person to *London*. But the Ministers having Notice before-hand of his Coming, précipitated their Steps ; for Duke *Marlborough* was displac'd, the twelve Lords were made, and Duke *Ormond* appointed *Generalissimo*, in the four Days next before Prince *Eugene's* Arrival ; to the End he might be told, and he was told, That his Business was all over, and could not be altered.

The Prince arrived on the 3d of *January*, 1711, and stay'd 72 Days : His Design was, To join with Duke *Marlborough*, in spiriting up the Queen to hold her Glory and Advantages. But, alas ! Great *Marlborough* was, just before, displac'd. However, during the time of his Stay, Prince *Eugene* spared no Pains, to Engage the Ministers, and to fix 'em in the true Interest of Themselves, and of their Allies, by prosecuting the Victorious War with Vigour. He was, indeed, highly Complimented (except that the Lord Mayor's Invitation of him to Dinner, was, by a Chicane of the Ministers, baffled, and frustrated). But we may conclude, He did obtain from the Ministers, general Assurances ; which, in the Sequel, proved (like the rest) Inconclusive, and Insincere.

In this Place, it may be observed, what was the Reason why the Preliminary Articles,

ticles, signed by Monsieur *Mesnager*, had been publish'd in *October 1711*; which was, with Intent that Duke *Marlborough*, for being a Terror to *France*, might be, for the Pretences aforesaid, *Removed* from before the Enemy's Eyes; without which, those Preliminaries could never succeed. And now it may be presumed, that the last Effort, on the Ministers Part, to Turn the Tide of Victory, by a Disunion and Separation of the *British* Forces, and the Manner how it should be effected, came under Consideration.

And it may be also presumed, that the *Cabal* had not, as yet, parted with all Sentiments of Honour; and that therefore some of them argued, That the proper and fair Way, would be, To Open and Impart the Matter, plainly, to the Confederates, depending, That the same Reasons that had Guided so great a Party in *Britain*, wou'd also Guide the Allies. And of this Opinion, was one Lord of that *Cabal*.

But the Enemies Agents argued, That those Reasons would have no other Effect, than to admonish the Confederates to take vigorous Resolutions, and to furnish the Imperial General (Prince *Eugene*) with an Army, and Provisions: By which *France*,

in their then low Condition, might be Over-powered ; and particularly, That the Confederates might, possibly, provide *Means*, by which the *British* General and his Forces might be Arrested, and treated as Enemies : And therefore they proposed a Counter Scheme, That *Britain* shou'd proceed in the Congress, with Pretences to pursue the *Uniting* Measures, and the *British* Engagements ; because that Sort of Proceeding, wou'd give the *French* Plenipotentiaries Room to spin the Negotiations into Length, and cover the intended Turn of Victory : And that the new General (*Ormond*) shou'd, *at first*, declare, He would join, and *push* on the War ; and so draw all the *Confederate* Armies into the Field, up to the Face, and into the very Jaws of the Enemy : Which would draw them past all Retrieves ; and that Then wou'd be the fittest time for *Ormond* to declare a General *Suspension* of Arms, or a Separation from the Army ; which would *Distract* and bring the *Confederates* into the utmost Confusion and Disorder ; and then, if they shou'd not submit, the Enemy's Army wou'd be at Hand, in Conjunction with the *British* Forces under *Ormond*, to humble their Obstinacy.

This artful sort of Reasoning prevail'd ; and it was resolv'd to put it in Execution,

as an Expedient, which might possibly prove bloody, but would be effectual.

From these Consultations, I may conclude, That the Enemies had in their Minds a deep and secret Reach, to gain a Power that would be *Dictatorial*, even to *Britain* : For They (the Enemy) were well apprized, that if the Confederate Army cou'd be led on, and decoy'd, into that desperate Situation, they must necessarily be (after a Separation, and in their Distraction) either easily Disarmed, or Massacred ; and then *Britain*, as well as They, must receive the Victor's Laws.

In order to execute these Resolutions, the Cabal caused Doctor *Robinson* Bishop of *Bristol*, to be made Lord Privy Seal, to qualify him, to be first Plenipotentiary, at the Congress, and caused it to be rumour'd, that the Bishop, being a Minister of the Gospel of *Peace*, was most likely to promote, and conclude a *Peace* ; and that her Majesty, speaking thorough the Mouth of a Prelate, would be more regarded.

And in order to give Credit to the Bishop, and to amuse Prince *Eugene*, who was then in *London*, the Queen, on the 17th of *January* 1711, soon after that Prince's Arrival, sent a Message, in Writing, to the House

House of Commons, expressing her great Care of all her Allies, and the **Strict Union**, in which she proposed to join with them: That her Plenipotentiaries were *instructed*, to concert the proper Ways, of procuring a just Satisfaction to *All in Alliance* with her, according to their several Treaties, and particularly above all *with Relation to Spain and the West-Indies*, (without mentioning whether she meant her new Allies, or her old ones): But who was to have *Spain and the West-Indies*, was cover'd with Ambiguity. That her Majesty would *communicate* to the Commons the *Terms* of Peace, before the same should be concluded, *that the World might see, there was no Colour to say, that she had Treated with the Enemy separately.*

If this Message did not contain, a *full Denial* of this Fact; *viz.* That she had not made one Step to treat with the Enemy separately; it will be too hard to find what is a *Denial*. But this Message was contriv'd, and sent for this Purpose, that the same might be, as it was, made use of to answer and evade all Prince *Eugene's* Applications: Against which, no Objections could be made for double Entendres, without questioning the Honour and Sincerity of the Government, which Prince *Eugene* could by no means attempt.

And

And accordingly this Message had the design'd Effect; for the Confederates, and especially Prince *Eugene*, believed it, and all of them inferred their own Wishes, that the *British* Ministers meant, what the Natural Sense of the Words of that Message meant, and yet were all disappointed. Altho' the Ministers also assured the Prince, That the new General should execute every Part punctually.

As to the Congress, it proved (as it was projected) a mere Amusement, composed of Pretences only, without any real Intentions: I shall take Notice only of these particular Consequences of those Pretences.

1. That the *Terror* of the Common Enemy (*Marlborough*) being now disgrac'd, the *French* King, in his Specifick Explanation of the Offers of *France*, for Peace, made at *Utrecht*, behaved, with a surprizing Haughtiness; for tho' he was beaten, down to the Ground, and, in a manner, gasping for Life, yet he seem'd to *Dictate* to his Conquerors, and absolutely refused to treat in the fair Way, in Writing, which made the *States* Plenipotentiaries propose the breaking up the Congress: But the *British* Plenipotentiaries being in the Secret, refus'd, and tamely submitted to
treat

treat with the Enemy on those *Offers*, in his own Way.

2. That when a Debate arose, about admitting the Plenipotentiary of King *Philip of Spain*, one of the Enemy's Plenipotentiaries dropp'd these Words, *The Queen of England hath engag'd her Promise.*

3. That the Demeanor of the *British* Plenipotentiaries was so partial, that one of the Confederate Plenipotentiaries cou'd not forbear saying, *Pray, Gentlemen, be for once, at least, on the Side of your Allies, against the Enemy*, (meaning to treat fairly in Writing) but in vain; for the *British* Plenipotentiaries were otherwise instructed.

During the trifling Proceedings at the Congress, one of the *British* Plenipotentiaries went from *Utrecht* to the *Hague*, and earnestly pressed the *States* to come in to the *Queen's Measures*, as he call'd them.

But the *States*, violently suspecting what the Nature of the Measures was, sent a solemn Deputation to that Plenipotentiary to know, what were the *Queen's Measures*.

To which (about the Middle of April 1712.) this positive Answer was given by
that

that Plenipotentiary, *viz.* That her Majesty's Measures were, That her Troops should act with the *same Vigour* against France, as if there were *no Negotiation* on Foot, and he repeated the same again to Prince Eugene, and the other Confederate Generals.

But the States, and Prince Eugene, smil'd at the Answer, believing the same to be a *Feint*; because it was well known, that the Dutch were warm enough to prosecute that Sort of Measures, and needed no pressing.

The Duke of Ormond, (who was made General in the Room of Marlborough) at his Arrival in Holland, being about the 26th of April 1712, made to the States, according to his Instructions, (as he said) this Declaration, *That the Queen's Resolution was, to push the War with all possible Vigour, until the Enemy should agree to such Terms of Peace, as might be safe and honourable for her, and for her Allies.* But who really was that Enemy, or who really was his Mistress's Allies, he did not explain.

However, this Answer of the Plenipotentiary, and this Declaration of the new General, amount, in common Understandings, to full Denials of these Facts; *viz.* That the British Government had not made any Steps to Treat with the Enemy separately, to turn

turn the Tide of Victory, by a Separation of Forces, or a Cessation of Arms.

But, in so short a Time as thirty-one Days, the Duke fully discover'd to the *States*, whom he meant by the Word [*Enemy*], and whom he meant by the Word [*Allies*], and who was to be push'd with Vigour, and what were the Terms of Peace, Agreed to, and who were the Allies, for whom the Peace was to be Safe and Honourable.

Thus far the Uniting Measures were pretended, and made use of, and the Fallacy of the Denials so far succeeded.

For upon these Assurances, the whole Army of the Confederates, consisting of 122,000 Men, (*viz.* of 50,000 in *British* Pay; and 72,000, partly *Dutch*, and partly of such Imperialists as were then in *Flanders*) had marched with Alacrity up to the Face of the Enemy, to fight, and engage him; and the rather for that, the Confederate Army was, much superior in Numbers, and the Goodness of Troops: Whereas, if the Confederates had in the least suspected, that a fatal Division was to commence, and be put in execution, so soon, and so unjustly, and in such a dangerous Place, and so contrary to the repeated Declarations, on the

the Part of *Great Britain*, they would never have given the Advantage to the Enemy, to have marched up so boldly to their very Faces.

In this Place it is to be remember'd, that Duke *Ormond*, as soon as he arrived in the Camp, sent a Letter privately to Marshal *Villars*; in which his Grace assured the Marshal, They were *no longer Enemies*: And if so, they must be *Friends*. And it may be presum'd, that his Grace did not fail, to illustrate to his Friend the Marshal, his own Merit, in Leading and Bringing up the whole Army of his Enemies, to be either Disarm'd or Slaughter'd: For if they wou'd, with the Duke, suspend their Arms, and make a Cessation, then the Confederate Army would be Disarm'd; but if they refused, then, upon the Duke's Separation, (as he intended) they must, or might be Slaughter'd.

At this Time, Prince *Eugene*, who willingly believ'd the Professions of the Ministers at *London*, having good Intelligence, that the Enemy might be attack'd with Success; and the rather, since the *French*, upon the Approach of a Detachment of Grenadiers, under the *English* General *Withers*, suspected the *British* Ministers had acted with them Insincerely; the Enemy there-
fore

fore prepar'd to Fly, and made Dispositions to secure their Retreat.

Upon which, Prince *Eugene* press'd Duke *Ormond*, to March, and take that Glorious Opportunity, to fall upon the Enemy, in such their Consternation.

But, O *Monstrum Nefandum!* *Ormond*, on the 28th of *May* 1712, held back, and wavered, desiring Time to resolve. Which was the first time, it was discover'd to the Confederates, that a Treaty with the Enemy, had been carry'd on separately, to turn the Tide of Victory; and they, from thence, concluded, they were betray'd, without Possibility to Rereat, or to change their Conduct: Which Infidelity, caused the Confederate-Generals to break out into Groans and convulsive Reproaches, for being (as they said) so led to the Slaughter: For now they concluded, that *Ormond* was a secret Enemy, and that he, and the New *British* Ministers, had all along dissembled.

This News flew over into *England*, and caused such Lords in the House, as were Enemies to the Common Enemy, and were for Recovering *Spain* and the *Indies* from the House of *Bourbon*, to fly into bitter Invectives, and to arraign Duke *Ormond*, as if he were an Insufficient or Culpable General:

And

And one Lord moved for an Address, to pray the Queen to lay before them, the *Orders* she had sent to her (New) General; and, if Defective, to *order* him to act Offensively (*i. e.* Fight) in Concert with the Allies. Another Lord pressed the Lords in the Ministry, to acquaint the House, whether any Orders of Restraint had been sent to *Ormond*.

But the Cabal, and particularly the Prime Minister, being sure of the Party, who approved the turning the Tide of Victory, by a Disunion, and the *Giving up* to the Enemy *Spain* and the *Indies*, behaved with unexampled Confidence, and told them, that the new Ministers could not Reveal the *Orders* without the Queen's Directions; and very truly said, That, in his Opinion, those *Orders* were *not fit to be divulged*.

The Prime Minister, however, said, That if Duke *Ormond* had *Refused to Fight*, he had *followed* his Instructions; and that he was prudent in declining to fight, when a *good Peace* was upon the Point of being concluded, especially when they had to deal with an Enemy, so apt to break his Word.

Lord *Wharton* reply'd, That the Minister had given the best Reasons for fighting, because, in Fact, the Enemy was not
I upon

upon the Point of Concluding a good Peace, having not in six Months, made one Step in the Congress towards it ; and that if *France* was so apt to Break her Word, it was the strongest Reason that could be given, to push her, (as *Marlborough* had done) till she was reduced to a Necessity of dealing Honestly.

This Reply so nettled and shamed the *Cabal*, that the Prime Minister was spurrd on to say, 'That altho' *Ormond* might have *Instructions* to refuse to hazard a General Battle ; yet he (the Prime Minister) was positive, *Ormond* had *Orders* to join in a Siege.

Here the Grand Minister was driven to reveal and *divulge* the *Orders* ; which, if true, appeared to be utterly unfit (as he said) to be divulged ; for the Turning the Tide of Victory, would have appeared in bad Colours. For Duke *Marlborough* (lately Removed) exposed the disgraceful Chicanery of those Orders ; arguing (and very justly too) That Orders, Not to hazard a Battle, and yet, To join in a Siege, were idle, and inconsistent ; since it was impossible to make a Siege, without hazarding a Battle, (if the Enemy attempted to relieve the Place), or shamefully raising the Siege.

The

The Earl of Nottingham adhered, so firmly, to the Protestant Succession, That he asserted, "No Man cou'd give a Reason, " why *Orders* had been given to *Ormond* " Not to Fight; unless certain Persons " were afraid, the *French* King should be " so far weaken'd, as to be *unable to assist* " in bringing about Designs, which they " durst not, yet, own;" (meaning, his Suspicions of the *Coup d' Eclat*, before mentioned).

Another Lord declared, "He was surprized, to see any one dare to make " Duke *Ormond* (a Nobleman of the first " Rank, and of so distinguish'd a Character) the Instrument to execute *Orders* " so mean and *disbonourable*."

These Reflections nettled the *Cabal* so sensibly, that one of the Lords said, (as it is printed by *Boyer*) "No-body cou'd " doubt of the Duke of *Ormond's* Courage " and Bravery; but that he was not like " a certain General, who led Troops, to " the Slaughter, to cause a great Number " of Officers to be knock'd on the Head, " in a Battle, or against Stone Walls, in " order to fill his Pocket, by disposing of " their Commissions."

This Speech (if any such was spoken) was a true Declaration, that *Marlborough* had been a Fighting and a Pushing General, who *delighted in Victory*, and had led on Troops to the Slaughter, (*i. e.* to knock on the Head great Numbers of the *Enemy's Officers* in Battles and Sieges), and had, by slaughtering the *Enemy's Troops* and Officers, reduced him and his Army to a Dying and Flying Condition, and had brought the Prize of *Spain* and the *Indies* within Reach of *being taken* from the House of *Bourbon*; and had been, for that Reason, *Disgraced*.

If *Ormond* had been a Person of such Bravery and Honour, as was suggested, we should have heard, either of his Joining to Beat the Enemy, or of his Throwing up his Commission, rather than execute such Orders as were to turn to the Enemy the Tide of Victory.

However, this Conflict in the House of Lords proceeded; and the Lords complained, of being kept so long in the Dark; and pressed one of the Plenipotentiary Lords to give the House some Account of the *Progress of the Treaty of Utrecht*; but his Lordship excused himself, for want of the Queen's Orders.

Where-

Whereupon, the Grand Minister assured the House, That the Queen wou'd, *in a few Days*, lay before the Parliament, the *Treaty*, (meaning, the *Secret Treaty* for a *Peace*), which would give entire Satisfaction to all *true Englishmen*. Upon which some Lords expressed their Suspicions of a *Separate Treaty* with the Enemy, in *breach* of the National Engagements. In Answer to which, the Grand Minister asserted, That *Nothing* of that Nature was ever intended ; and, That Treating with the Enemy *separately*, would be **Foolish, Villainous, and Knavish**. Which amounted to this plain Admission, That if a Treaty had been carried on to *turn the Torrent of Victory* to the Enemy, it was *Foolish, Villainous, and Knavish*.

And here I cannot but observe, how the Emotion of this Great Minister's Mind became, at this time, ungovernable, and how *Truth* forced its Way through his own Mouth ; for he, with his own Tongue, fixed on his own Treaty (with inimitable Words) an *indelible Badge* of those Qualities he himself described, and had justly fixed on them : For what could be more *Foolish, Villainous, or Knavish*, than to turn to the Enemy, Victory ?

But to proceed : The Ministers (now the State of Affairs had made them safe) were to Disclose to the World the Nature of their Measures, for Turning the Tide of Victory, by a *Disunion* ; and giving up to the Enemy *Spain* and the *Indies*, which they had privately Treated of, and Agreed to. But that was a Task, no less difficult, than to reconcile Contradictions : For *Sincerity* and *Insincerity* cannot have in the same Mind a Cohabitation. And for this End, they resorted to Excesses of the Queen's Prerogative, for Refuge and Materials, viz. That the *Prerogative* of the *Crown* to make *Peace*, was Absolute, and *Unconditional* ; and that, for that Reason, a *Treaty* had been made with the Enemy *separately*, without consulting any of the Allies, and without Regard to *Engagements*. For the *Cabal* knew, their Parties in the Two Houses, were, at that time, so strong, that they were secure, under the *Palladium* of whatever was call'd the *Queen's Measures*.

The Original Motion, for an *Address* to see *Ormond's* Orders to Fight, was baffled, by 68 Votes against 40 ; and a new *Address*, of a foreign Nature, was moved for, and carry'd, viz. To pray Her Majesty, to cause the Papers, relating to the *Negotiations* for *Peace*, at the *Hague*, and *Gertruydenberg*,

truydenberg, to be laid before the House. Which did, indeed, shew, (if they had been produced) That the Terms of Peace, which the Allies then insisted on, and which *Torcy*, the *French* Minister, had then submitted to, did bear some Resemblance to the Incomparable Captain, and to the Victories he obtained over, and the terrible Wounds he had given to, the Enemy. To cure which, the Enemy's Friends procured them to be so unreasonably traduced. For the Terms, which *Torcy* so submitted to, in Writing, (but, for the Reason aforesaid, refused to Sign) were these :

1. That *Spain*, the *West-Indies*, and all the *Spanish* Dominions, were to be given up to the House of *Austria*; and King *Charles* the Third (now Emperor) was to be acknowledged King of *Spain*.

2. The *French* King was, within two Months, to withdraw all his Forces from *Spain*.

3. If King *Philip* refused to Consent; the Powers, concerned in this Treaty, were to act in Concert, to execute this Article.

4. *Strasburgh*, *Brisac*, &c. were to be deliver'd up to the Emperor.

5. *Dunkirk* was to be Demolished by *Britain*.

6. The *French* were to Relinquish *Namur, Mons, Charleroy, Luxemburgh, Furnes, Menin, Lisle, Ypres, Douay, Tournay, Conde, and Maubeuge, in the Netherlands.*

These Glorious and Advantageous Terms of Peace (if the Ministers had not advised the Queen to depart from her *Engagements*) might have been, by a *strict Union* with the *Victorious Confederates*, easily forced, and obtained. The Motion, therefore, for an *Address*, to lay these Preliminaries before the House, could proceed from no Mind, but an Assurance, that the prevailing Party were inviolably bent to Turn the Tide of Victory to the Enemy, by a *Disunion*; which would secure the giving up the Prize of *Spain* and the *Indies* to the House of *Bourbon*, at a time, when the Enemy was utterly disabled to Contend with that United Power, by which the same had been fought for, and demanded.

But the Great Minister considered, That the People might lay together, the Concessions which the Vanquished Enemy had made on his Part, and the Concessions which the

the Victors, on their Part, now made ; and might, from their Unlikeness, make Comparisons that would be Reproachful : And, for that Reason, this *Address* was laid aside, and never more heard of.

On the same Day, the like Question was debated in the House of Commons ; and Mr. *Pulteney* moved for the like *Address*, for Orders to Unite, and Fight ; with this Addition, To declare their Opinion, That a Division or Separation of the *British* Forces from the *Confederates*, would be attended with fatal Consequences ; (meaning, that Dependence, which would attend Inferiority).

But Mr. Secretary *St. John* gave that House the like Assurances, as his Leader (the Premier) had given in the House of Lords. And in Answer, to what a Member peevishly Objected, That the present Treaty, with the Enemy, for Peace, had been Carried on *separately* : He (the Secretary) said, He gloried in the Share, he had, in that Negotiation (meaning, mentally, the Tide of Victory). This Assertion, likewise, amounted to a *Denial* of the Fact, that any Treaty with the Enemy, had been commenced *separately* ; because, no Gentleman can be supposed to *Glory in Sh*—.

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The Torrent of the Party, to Turn the Tide of Victory, by a *Disunion*, and thereby to Gratify the Enemy with *Spain* and the *Indies*, was so Overbearing, that Mr. *Pulteney's* Motion was rejected, by 203 Votes against 73, which was, almost, Three to One; and a Counter *Address* was moved for by the Party, and carried, promising the Queen, to support Her Majesty against all Persons, either at Home or Abroad, who should endeavour to obstruct her making the Peace she was treating; (meaning, those that should obstruct the Giving up *Spain* and the *Indies* to the House of *Bourbon*).

But the Enemy's Ministers being, still, in fear, lest Great *Marlborough* (their Terror), and Those who Delighted in Victory, should recover Credit, and so prevent that kind Cession and Dereliction, which had been secretly Treated, and Agreed to, pressed vehemently Two Things; viz.

1. That the Queen should speedily Declare, to so Good-natur'd and Compassionate a Parliament, the Separate Treaty, and the Terms of Peace, that the Ministers had separately Agreed to.

2. That

2. That there should be an immediate *Suspension* (or rather, a *Cessation*) of Arms; promising Power, at hand, to protect the *British* Forces from such Treatment, as is usually inflicted on *Deserters*.

The *British* Ministers complied; and accordingly, they now Opened their Bag, and prepared a *Speech*, composed of those Excesses of *Prerogative*, which they had planted in the Royal Mind, which were to Declare the Measures for Turning the Tide of Victory, by a *Disunion*, and to Leave the Prize to that Vanquished Enemy. Which *Speech* was delivered to both Houses of Parliament, on the 6th of *June* 1712.

But before I come to take Notice of the Incredible Secrets which this *Speech* Disclosed, I shall take the Liberty to enumerate the many Pretences of Measures, agreeable to the Grand Engagements, which the Ministers had professed, to the *British* Sociates, and to the Parliament; whereby it will manifestly appear, that the Ministers did Speak and Write for *Union*, and Act for *Disunion*. However, their Pretences were necessary, to effect their Design; for, without them, the Confederate Army could never have been Led up to
the

the Enemy, to be Treated as the Ministers had concerted. But to enumerate the Pretences, they were these ; viz.

Her Majesty did, in 1710, Declare to the *Imperial* Minister, That She had resolved to Continue the Duke of *Marlborough* in his Employments.

That She, by her Prime Minister, Declared, She never had Treated, nor would Treat, with the Enemy, *separately*, about *Peace, Derogatory* (i. e. contrary) to her Engagements.

That She should be very sorry (as She Declared to the Parliament) any One could think, She would not do her *utmost*, to *recover Spain* and the *West-Indies* from the House of *Bourbon*.

And, That She look'd upon the Interest of the *States General*, as Inseparable from Her Own.

That She had given *Instructions*, to her Plenipotentiaries, according to the Desires of the Lords *Address*, of the 22d of *December* 1711, which pray'd Her Majesty to give Instructions to her Plenipotentiaries, to concert Measures with the Allies, before the Opening of the Congress, to preserve
a strict

strict Union, in order to procure for them All, reasonable Satisfaction.

That Her Majesty, in her Message of the 17th of *January* 1711, to the Commons, had promised to promote a strict Union with her Allies, That She would concert proper Ways to procure a Just Satisfaction to *All in Alliance with Her*, according to their several Treaties, and particularly with relation to *Spain, and the West-Indies*: And that the World should see, how Groundless those Reports were, *As if She had Treated with the Enemy separately*. Which Message had been urged to Prince *Eugene*, as a full Answer to his Errand; and that, to Distrust the Sincerity of it, would be to Reflect on the Government.

That She had ordered one of her Plenipotentiaries, to Declare to the *Dutch*, That her Measures were, That her Troops should Act with the same Vigour against *France*, as if there were on foot no Negotiation.

That the new General (*Duke Ormond*) did, also, at his coming to the *Hague*, Declare, (by Her Majesty's Order, as he said), That her Resolution was, To push on the War with all possible Vigour, until the

the Enemy should Agree to such Terms of Peace, as might be Safe and Honourable for Her, and for her Allies.

And that the Prime Minister (Lord Oxford) had asserted in the House of Lords, That a Treaty with the Enemy, about Peace, *separately*, was never intended; and, That such a Treaty with the Enemy, *separately*, would be *Foolish, Villainous, and Knavish*.

And yet, notwithstanding this Conduct, *the Speech made on the 6th of June 1712*, was the Reverse of all the Minister's Professions, and carries in it a very sensible Taste, of the *Coup d' Eclat*, and of the Enemy's *Desire*, before mention'd; in which, all his Wishes would be *Accomplished*. The *Speech* consisted of these Parts:

The first Words were these;

The making Peace and War, is the Undoubted Prerogative of the Crown. I promised to communicate to you the Terms of Peace, before the same should be Concluded.

I now let you know, upon what Terms, a General Peace may be made.

I need

I need not mention the Difficulties, that arise, from the very Nature of this Affair : And it is too apparent, that these Difficulties have been increased, by other Obstructions, artfully contriv'd, to hinder this Great and Good Work.

Nothing, however, has moved Me from steddily pursuing, in the first Place, the true Interest of My Own Kingdoms : And I have not Omitted any Thing which might procure, to All our Allies, what is due to Them, by Treaties, and what is Necessary for their Security.

*If these pompous Words do not declare, That the Departing from Engagements, relating to Peace and War, was an Undoubted Prerogative of the Crown ; it is difficult to understand them : For they carried in them something, even towards the British People, that was insufferably Affronting ; forasmuch as the Speech publicly confessed, and avowed to be Just, that very Thing, which the Ministers had, not only with the strictest Secrecy, conceal'd, but, with the greatest Assurance, denied ; that is, That the Ministers now confessed, That they had treated with the Enemy separately ; and asserted, That such their Separate Treaty had been long in Trans-
acting,*

acting ; and had, in its Course, met with Difficulties and Obstructions. For, how else could the Ministers know the Terms, on which a General Peace might be made, unless They had Treated, and knew the Enemy had Agreed to those Terms? Or, how could they say, That the Queen had not *Omitted any thing, to procure, &c.* All which surprizing Inconsistences, shewed, That the Ministers Treated the People, as a People incapable to Know or Discern Contradictions ; or, if Known, that they must, nevertheless, succumb. Whereas, every one knows, That a Prerogative, to make such a Peace, or such a War, as will Turn the Tide of Victory to the Enemy, and Destroy either the Friends, or the Power, Independancy, or the Trade of this Nation, is a pretended Prerogative, that is not only Doubted, but absolutely Denied ; because such a Prerogative, is inconsistent with the Essence and Trust of the Supreme Magistracy.

This *Speech* therefore proves, That the Ministers had assumed a Supremacy, to make themselves *Judges to Dictate*, what was Due to the Allies, by Treaties, and what was Necessary for their Security, and what they were to be Contented with ; and in that Capacity, of Judges for the Allies, they had Treated with the Enemy *separately*.

And

And therefore the Ministers treated Her Majesty's Partners (the *Emperor*, and the *States General*) as her Vassals : Which was a Prerogative, which could not be derived from the *British* Crown ; neither had the *Emperor*, or the *States*, ever Given or Trusted the Crown of *England*, with any such Power ; but, on the contrary, the *Emperor*, and the *States*, depended and believed, That the brightest Prerogative of the *British* Crown, was composed of *strict Justice*. For the Allies might justly have demanded of the *British* Ministers, Who had made them the Judge ? or had required those Things at their Hands ? and might have expostulated thus with the *British* Ministers ; If you had not departed from your Engagements, and turned the *Tide of Power* to the Enemy, and raised him to a Superiority, we might Our Selves (as we ought) have Claimed and Contended for what was due to us by Treaties, and for what was necessary for our Security : However, it does not appear, you have pursued your own Interest, or have obtained, or asked, for *Britain*, any manner of Power or Trade, of which we are, as *good Judges*, as you, of ours : And much less doth it appear, you did any thing, at all, to procure for us, what was due to us by Treaties, or what is necessary for our

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Security ;

Security ; and, above all, that the *British* Ministers would have taken it ill, if the *Emperor* or the *States* had, in *Breach* of the *Principal Branch* of the Publick Engagements, treated with the Enemy *separately*.

2. *As to the Words*, about the Care Her Majesty had taken, to Secure the *Protestant Succession*, I postpone them to their proper Place.

3. The next Words of the Speech, were ;

The Apprehension, that Spain and the West-Indies might be United to France, was the chief Inducement to Begin this War : And the effectual preventing of such a Union, was the Principle I laid down, at the Commencement of this Treaty.

These Words, [that *the Apprehension, that Spain and the West-Indies might be United to France, was the chief Inducement to Begin this War*], was a Representation, contrived by the Ministers, that was entirely Fallacious : For it was the positive Knowledge of all the Contracting Parties, and the Acknowledgment of Her Majesty Her Self, that *Spain and the West-Indies were actually United to the House of Bourbon,*

Bourbon, and were Governed and Actuated by the united Councils and Interests of that House; and that the *chief Inducement to Commence the War*, was, to Recover Spain and the *Indies* from the House of *Bourbon*: Because that *Union* had raised such an Excessive Power in that one Family, as would Oppress the rest of *Europe*; and that therefore *England* singly, or *Holland* singly, or the *Emperor* singly, were not able to Contend with the Purse and Power of *France* and *Spain*; and each of those Sociated Potentates was fully sensible of that Disability: And that therefore, the very true and *chief Inducement*, to Enter into the Grand Engagement, and to Begin this War, was not, to prevent a Union of *Spain* and the *West-Indies* to *France*; but to Disunite and Recover *Spain* and the *West-Indies* from every Branch of the House of *Bourbon*.

As to the Words, [*And the effectual preventing such Union, was the Principle I laid down, at the Commencement of this Treaty*]; those Words amount to these Confessions:

1. That there had been a Commencement of this Treaty with the Enemy *separately*: For the *Speech* declares, That the Ministers had laid down, with themselves, at the Commencement of this Secret Treaty, a Principle to Prevent the Union of *Spain*

and the *West-Indies* to France. Which was *Protestatio contra Factum*: For the true Principle, which the Ministers laid down, at the Commencement of this Treaty, was, to Prevent the Disuniting *Spain* and the *West-Indies* from the *House of Bourbon*; and to put in Practice the only Means, which could effect that Prevention, viz. the *Disunion* of Forces: Because that Expedient would turn the Tide of Victory, and silence all Contradictions. So that, here, the Commencement of a Separate Treaty, is *fully Confessed*; altho', so lately, *fully Denied*.

2. That the Ministers had taken upon themselves, *singly*, (without the Allies) to Treat, and Resolve on, what would be Effectual, to Divide *France* and *Spain*. Which was Injurious, and Presumptuous. For as the *British* Crown was not able, *singly*, to *Begin* and Carry on, such a War, without her Sociates; so, neither had it any Prerogative, *singly*, to *Treat* of what would safely *End* the War, without *first Imparting* to, and Consulting with, those Sociates, the Design of her Negotiation.

4. The next Words were;

Former Examples, and the late Negotiations, sufficiently shew, how difficult it is,
to

to find Means to accomplish this Work; I would not content myself with such Means, as are Speculative, or Depend on Treaties only; I insisted on, what is Solid, and to have at Hand the Power of Executing, what should be Agreed.

These Words plainly declare to the World, that the new Minsters had just now found out Means to accomplish a Peace, (which the Allies had known many Years before, and rejected, as destructive) viz. To let a Prince of the House of Bourbon enjoy Spain and the West-Indies, and to withdraw the British Power from disturbing his Possession, which was all the Enemy desired, and something more. A rare Expedient! Wise Ministers! What Man wanted Sense to find such Means?

And the Speech proceeds in the same Method, and says, *I wou'd not content myself with such Means as are speculative, or depend on Treaties only: I insisted on what was Solid*, and to have at Hand, the Power of Executing what should be Agreed. Here was disclosed those Means, by which all Contradictions were to be reconciled or silenced; for Power implies Force, and plainly expressed the Design to turn the Tide of Victory against the Allies, if they proved Refractory; for, *Pax queritur Bello*. And

that the Thing that was *Solid*, was, That the Enemy, or Prince of the House of *Bourbon*, then in the Possession of *Spain* and the *West-Indies*, should be defended in that Possession; and that the *British* Sociate of the House of *Austria*, should be Disappointed, and Dispossess'd; And that sufficient *Power at Hand* was provided to execute this, and such other Things as had been secretly agreed, altho' at present kept under Cover.

And one would think, from the Words, that the Ministers had imposed this Article on the Enemy, as if he were unwilling to concede; for the Ministers doubted the *British* Power singly, and therefore, They insisted to have the Enemies *Power at Hand*, to Execute the two Things secretly Agreed on; viz. First, to *Defend* that Prince of the House of *Bourbon* in his Possession of *Spain* and the *Indies*; and next, to effect some *Coup d' Eclat* that was kept in petto.

After such a plain Declaration, Who can doubt of the *strictest Union* and *Engagement* between the Ministers and the Common Enemy, to act in Concert, contrary to all former Denials, or can doubt of the utmost Disunion of the Ministers from the Allies? It would tire the Reader to specify all the Inconsistencies that prove those Inferences.

5. The next Words were :

I can therefore now tell you, That France, at last, is brought to Offer, That the Duke of Anjon shall, for himself, and his Descendants, Renounce, for ever, all Claim to the Crown of France ; And that this Important Article may be exposed to no Hazard, the Performance is to accompany the Promise.

At the same Time, the Succession to the Crown of France, is to be Declared, after the Death of the present Dauphin, and his Sons, to be in the Duke of Berry, and his Sons ; in the Duke of Orleans, and his Sons ; and so on to the rest of the House of Bourbon.

Upon these Words, I make these Observations :

1. That the Ministers Conduct had brought Britain from a State of Superiority, to a State of Inferiority ; for the Speech says, That France was, at last, brought to Offer, &c. For this Word [Offer], implies a Superiority (*i. e.* Take what I offer, and carve out, or I will not give so much) : And that this Offer was Obtain'd by Intreaty ; for France was brought (*i. e.* by Intreaty and Persuasion) to Offer, what she herself

carved, and best liked, or rather Com-manded, for herself.

2. That the Word [*Offer*], was Artfully made use of, to lead People from Thinking, that the Ministers had done such an Unfair Thing, as Treating with the Enemy *Separately*; and further, to lead them to think, contrary to the Fact, that it was a fresh *Offer*, just now made by *France*, and not of any long Standing.

3. That this *Renunciation*, which was offer'd should be made by the Duke of *Anjou* to the Crown of *France*, was the Enemies *Fineness*, and a mere speculative Notion, of no Force, to secure either a *Balance* of Power, or a Peace: For which Reason, the *Emperor*, and the *States-General* never thought of, or demanded, or desired any such an insolid or incongruous Thing: And yet the Ministers, privately, and without imparting to, or consulting the *British* Sociates, made this simple Fancy or Chimera, the Foundation of the whole Scheme.

4. That the principal Matter; *viz.* The Compelling the *Emperor* to make a Cessation of *Spain* and the *West-Indies* to the Duke of *Anjou*; without which, nothing had been done, or could be done, is artfully
cover'd,

cover'd, as a Thing too tender, at present, to bear the Light; and yet it was reserved in petto, to mean what was Solid; that is, the Power at Hand, that was to Execute, and Compel our own Friend, to make that Cessation to the Enemy.

5. That nothing could be more Apparent, than that our own *Friend and Ally* (the Emperor) was to be compell'd to Accept of what the Enemy would Carve and Give: Which could not be done, without the *Disunion* of Forces, to turn *Victory the contrary Way*.

6. As to these Words; viz.

As to *Spain* and the *West-Indies*; *The Succession, to those Dominions, after the Duke of Anjou and his Children, is to descend to such Prince, as shall be Agreed upon in the Treaty, for ever Excluding the rest of the House of Bourbon.*

For Confirming the Renunciations and Settlements before-mentioned, It is further Offered, That they shall be Ratified, in the most strong and solemn Manner, both in France and Spain; and that those Kingdoms, as well as all other Powers, engaged in the present War, shall be Guarantees to the same.

The Nature of the Proposal is such, that it Executes itself.

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These pompous Words, are intelligible to none, but those who compos'd them; for this Romantick Provision made, about the Remote Possibility of the Succession to the *Spanish* Crown, is so far from being any way material, that, on the contrary, it is expressly Contradictory to the Grand Engagement: The express Terms whereof, are before-mention'd in Pages 47, 48.

And as to Ratifying and Confirming the *Renunciations*, it is plain, That whatsoever *France* offer'd, yet the *French* King *Lewis* the Fourteenth, positively *Refused* to procure the Ratification to be made by the General States of *France*; and for the same Reason, no Ratification was ever made by the *Cortex* in *Spain*; which proved, that the Ministers framed the present Speech for no Purpose but *Ad Captandum Populum*, and to Mislead: And it is here observable, that *Marquiss Torcy* plainly inform'd Mr. Secretary *St. John*, That *Frenchmen* would no more endure, Limitations to be impos'd, or Gaps made, in the Succession to their Crown, than they would impose Limitations on their King's Power in Government.

Another strange Chimera or Fancy is discover'd by the Words, (*for ever Excluding the House of Bourbon*): For if the Question
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be ask'd, Who shall *Exclude* those *Rest* of the House of *Bourbon*? Who can answer it? For if it be answer'd, Why the Force of this Treaty, will *Exclude* them? It will be reply'd, Can the Force of this *Utrecht Treaty*, be stronger to Bind the House of *Bourbon*, than the Grand Engagement was to Bind the Contracting Parties?

7. As to the Words of the Speech,

France and Spain are now more effectually divided than ever: And thus, by the Blessing of God, will a Real Balance of Power, be fixed in Europe, and remain liable to, as few Accidents, as Human Affairs can be exempted from.

In these Words, appear these Inconsistencies:

1. *The Division of Spain from France.*

2. *The fixing a Real Balance of Power.*

3. *The hoping for the Blessing of God on these Proceedings.*

1. *As to the Division of Spain from France.* Those two Kingdoms had been long Govern'd by two Families; the one by the House of *Bourbon*, and the other by a Branch

Branch of the House of *Austria*, who were, always, divided in all their Interests and Politicks: But the new *British* Ministers pretended, that altho' they are now to be United under the Government of one Family, (the House of *Bourbon* only) they are more Divided than ever: Which was a Pretence that amazes, when it proceeds from Gentlemen, who pretended to be Statesmen.

2. *As to the Balance of Power*, which they pretended was now fixed in *Europe*, that Notion cannot be made intelligible, without observing how the *Balance* stood before this War: And as to that, it is plain, the Power of *France* alone Weighed down, and Overpower'd all the three Potentates in the Association; viz. The *Emperor*, *England*, and the *States-General*.

For France had, for about fifty Years, made Wars singly without Allies; and had engaged, not only with both the Branches of the House of *Austria*, but with most of the other *European* Potentates, and was an Overmatch for them all, and had, partly by Conquest, and partly by Treaties, and by Constructions of Treaties, acquir'd (as Additions contiguous to that Kingdom) the Dominion of eight Sovereign Provinces, two Arch-Bishopricks, nine Bishopricks, thirty of the strongest Places in *Europe*,
seventy

seventy Cities, some of which are reckon'd, amongst the finest in the World, and more than three thousand Market-Towns: Which vast Growth of Power alarm'd all *Europe*, and caused all other Potentates, to Court his Friendship, and to manage it with great Discretion and Prudence: And yet, in these Circumstances, the *Vanity* (not to say worse) of the *British* Ministers, was *such*, that they Advised her Majesty to tell her Parliament, that *Thus* (*i. e.*) by Wrestling *Spain* and the *West-Indies* from the House of *Austria*, and Adding them to the overgrown Power of the House of *Bourbon*, a *Real Balance* of Power was fixed in *Europe*; which the Ministers would never have attempted, if they had known they had to deal with Free Parliaments: For doth not every Man know, that the Monarchy of *Spain* and the *Indies* was of itself, not many Years since, the Terror of *Europe*? Did not the *Spanish* Potentate attempt Universal Monarchy? And are not those two Monarchies now United in the Family of One House, the House of *Bourbon*? Where then is the Balance?

3. *The Invoking the Blessing* of God upon this sort of *Balance*, seems extravagant, because, the Power of the House of *Bourbon*, being thus increased and established, was apparently made an Overmatch for any other

other Potentate, and probably for all the Potentates in *Europe* put together: And therefore it seems Ludicrous, to pray for a Blessing on such a *Balance*, because, in so doing, we must pray for our own Confusion.

7. As to the Words,

A Treaty of Commerce between these Kingdoms, and France, and Spain, and the West-Indies, has been enter'd upon, &c. (but nothing was, as yet, settled, but might be.)

The Ministers did not insist upon any Advantages for Trade, that were either Speculative or Solid; but omitted to pursue that Article, as well as every thing else, that was for the true Interest of this Nation; according to what Mr. *St. John* had written to Monsieur *Torcy*; *That the Ministers were more Intent upon Peace, than upon any Particular Advantages, for their own Nation.* Which seems to be a Proof of the Secret Article for some *Coupe d' Eclat*.

8. Other Words of the Speech were,

The Safety of our Home Trade will be better, provided for, by the Demolition of Dunkirk.

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In these obscure Words, the Ministers left every one, to form in their own Minds, and to believe, what they themselves most hoped for, and wished: For if they had by this Speech discovered the Truth fairly, how, and in what manner, and how far, and to what Extent the Demolition was to be made; a general Dislike had accompany'd the Discovery.

Every Man knew, that the Career of Victory was held back, just at the Time, when Great *Marlborough* was upon the Point of Crushing the Enemy, and forcing him to let go his Hold, not only of *Dunkirk*, but of *Paris* itself, and compelling him to pay the Charges of the War: And that the *French* Preliminaries, which had been publish'd in *October* 1711, had been, for their Ambiguity, generally disapprov'd: And that the Ministers had been ashamed to confess, they had agreed to them: And yet it was afterwards found, that the Ministers had privately agreed to those Preliminaries; and had agreed to give up, as an Equivalent, the three Strong Towns of *Douay*, *Lisle*, and *Tournay*, to content the Enemy, in Lieu, and as a Consideration for the bare Demolition of the Fortifications only of *Dunkirk*, but not for *Dunkirk* itself, nor for the Harbour: And that the Ministers had

had submitted, to what the Enemy had insisted on; viz. That *he himself* (and not *Britain*) *should Demolish* those Fortifications; and that They, the Ministers, had submitted to Accept of *Means*, that were only *Speculative*, to demolish them in such manner, as the Enemy pleas'd, and as he *should judge*, was due to *Britain* by Treaty, and as should be necessary for *Britain's* Security, without insisting on having the *Propriety* of that Town of *Dunkirk*, or of the Harbour, or of any thing else, that was Solid, nor any *Power at hand* for Executing the Demolition agreed on; or to Secure, that the Demolition should be Extensive enough, or should be done, or done Effectually, to content *Britain*, as sufficiently, or extensively, as the Equivalent was to content the Enemy.

But the Ministers having departed with their Commanding Power, they had no *Means* left to Deny the Enemy *Power* to Act over *Britain*, as *Britain* and her Ministers had Acted over the Allies, *i. e.* to be his own *Judge*, to *Dictate*, what was due to *Britain*, by this Treaty, and what would be (in Relation to *Dunkirk*, and its Fortifications and Harbour) sufficient for *Britain's* Security.

For

For the Ministers fully knew (if they knew any thing that was good) that the suffering a *Treaty to be dark or perplexed*, either in the Creation or Execution, was to make the Adversary his own Judge.

9. As to these Words of the Speech;

The Mediterranean Trade, and the British Interest and Influence in those Parts will be secured by the Possession of Gibraltar and Port-mahon, with the whole Island of Minorca, which are offered to remain in my Hands.

The Case of *Gibraltar* differed much from that of *Dunkirk*; for *Gibraltar* was, by Right of Conquest, ours in Propriety; and there was no Necessity to permit *France* to offer any Terms about it: But the Ministers gave up, and abandon'd the Interest of *Britain* in two Respects:

1. In suffering the Vanquish'd Enemy to insert a perplexing Clause, to *Embarrass* the Propriety even of that our own Unquestionable Property (*Gibraltar*) by Giving to *Spain* a Pretence to *Redeem and Retain it*: Which puts a Restriction on the absolute Property, and infers, that it is not ours Independantly.

L

2. By

2. By neglecting to provide a reasonable District of Ground or Outworks, to prevent the *Spaniards*, from Approaching on their *own Ground* up, to the very Rock, on which that Fortrefs is built ; for, under Colour of that *pernicious Clause*, and the Omission just mention'd, this Nation hath been, ever since, embroiled.

10. *As to the Words of the Speech, in Relation to the Assiento Contract ;*

Which the Speech says, had been Insisted on, and Obtained, to continue to be ours only for thirty Years, (of which eighteen are now Elapsed) in the same manner, as the French had enjoy'd it for ten Years then last past.

The Ministers said, that the Assiento was obtained, by Reason the Part which Britain had borne in the Prosecution of this (Victorious) War, had intitled us to some Distinction in the Terms of Peace.

I can say this only ; That I believe the true Reason of Obtaining the *Assiento*, as a *Distinction*, was not for the Part Britain had Borne in the Prosecution of the War, but for that Part which Britain had Acted, in turning the Torrent of Victory to the Enemy, by the Disunion, and in yielding
Spain

Spain and the *Indies* to the House of *Bourbon*. However, I may say, that in obtaining this Contract, the Ministers were contented with what was merely *Speculative*, and insisted on nothing that was *Solid*, to secure the Performance ; for no Care was taken to have *Power* at hand to Execute or Vindicate this Part of the Treaty in Favour of *Britain*.

But what Amends or Distinction, this Contract has afforded to the Nation towards the *Expences of the War*, I am not able to say, (except that I believe, none of the Confederates do Envy *Britain* the Glory or Advantage of that Distinction.)

II. As to these Words of the Speech ;

I have not taken upon Me to Determine the Interests of our Confederates :

These Words were another *Protestatio contraria facto*, and make the Ministers inconsistent with themselves ; for They had taken upon them, to determine the *Interests* of the Allies ; for the Speech declares, That the Ministers had Dispos'd of *Spain* and the *Indies*, and had agreed, to leave the Emperor in a Condition to be Compell'd to accept what the Enemy would be pleas'd to carve and give, and declared, that *Power* was at hand to effect it. The Ministers had

also determin'd other Interests ; for it is said, The Interests of the *States-General*, with Respect to Commerce, were agreed to, (except some very few Species of Merchandize) ; and that the entire Barrier, which they demanded in 1709, was also agreed to, (except two or three Places at most) : The Exception prov'd the Assumption, That the Ministers had determin'd their *Interests* : And moreover, the Speech mentions, That the *Rhine* should be the Barrier of the Empire ; and for that End, that some Forts should be Yielded to the Empire, and others in and about that River Razed. All which Facts prove this Part of the Speech to be *Protestatio contraria facto* : For the Speech, in other Parts, says, *Power was at hand* to Execute, what had been agreed ; *i. e.* to Force, and to Compel every one of the Confederates to submit to these Determinations of their Interests, which the Enemy had dictated, and the Ministers had secretly agreed to.

12. As to the Words in the Speech ;

That the Queen doubted not of being Able to secure the Interests of the Allies ; (meaning the Rest besides the *Emperor*, the *States-General*, and the *Duke of Savoy*) :

And that her Majesty was willing to hope, that none of her Confederates would Envy
Britain

Britain her Share, in the Glory and Advantage of this Peace.

And that she could make no Doubt, but her Parliament was fully persuaded, that Nothing would be neglected, on her Part, in the Progress of this Negotiation, to bring the Peace to a speedy Issue.

Now as to Ability; All Men smiled at that Pretence: For as to the Ministers, in Conjunction with the Allies, their Treatment had destroy'd all Unity and Confidence: And as to the Ministers singly, or separately, without the Allies, the Enemy Despised 'em; and so the Ministers could have no Ability at all, but what subsisted on Intreaty: And this appear'd by Mr. St. John's earnest begging of the Enemy to part with Tournay out of the Equivalent which was to content him, intreating him with this Argument, That without that fortify'd Town, the Dutch cou'd have not so much, as the Colour of a Barrier.

As to Hope that the Confederates wou'd not Envy Britain her Share of the Glory and Advantage of this Peace, it is apparent, that That Hope was well grounded, for there was no Glory, nor no Advantage, but to the Enemy only; the Ministers therefore had not a Share, but the whole Glory of that Service,

for the Confederates instead of Envy, groaned under the Contraries to Glory and Advantage.

And as to her Majesty's not Neglecting any thing on her Part, to Bring the Peace to a Speedy Issue ;

The Ministers performed this Part with Vigour, for their Proceedings were written in Blood ; as might be read in what was done at *Denain*, &c.

This Speech, notwithstanding the turning the Tide of Victory, by a Fatal Disunion, and by a Clandestine Treaty with the Enemy separately, which had been so solemnly *Deny'd*, and now plainly *Confess'd*, was nevertheless Approv'd, and Thanks given for it, by the prevailing Party in both Houses of Parliament ; which proves not only, how apt Men (and even Multitudes of Men) are in some Cases to slide into Deviations, but also that Nothing could Divert that Party, at that time, from Gratifying the *French* King, with the Compliment of *Spain* and the *Indies*, in as frank a manner, as he himself Desired and Demanded.

It is observable, that soon after the Making this Speech, the Ministers changed the
Words

Words (Queen's Measures) into the Words (the Queen's Peace), for this Reason, because no real Glory or Advantage cou'd be found in it: But (notwithstanding the Ministers Boastings of Glory and Advantage) the direct Contrary was visible, to every Man of any common or ordinary Capacity or Understanding; for it appear'd, beyond Possibility of Contradiction, that the Ministers had, in Breach of the *Principal Branch* of the National Engagements, Treated with the Enemy Separately, to turn the Torrent of Victory by a Fatal Disunion, without providing or insisting on any manner of Advantage, either in Power or Trade, for *Britain*, and that for that Reason, the Badges of Infamy which the Prime Minister had before fix'd on this Separate Treaty, would stare in the Face of every Patriot; for what could be more Foolish, Villanous or Knavish, than to turn the Torrent of Victory to the Enemy? But the People were to be restrain'd by the Menace or Notion, that the Peace was the Queen's Peace.

It is farther observable how inflexible was that Inclination, to the *French* Interest, that dwelt in the *Stuartine* Family; for when King *Charles the Second* was in the Year 1677 press'd, to Come off from the *French* Interest, his Ministers advised him to Insist, and he did Insist, That having

once engaged with, and on the Side of *France*, in the War, he could not, with Honour, turn against *France*, till it was ended : As if it could be honourable to the King, first to enter into a War, and then persist in it ; that was apparently Destructive to the Kingdom.

But now what can be said in the present Case, after the Ministers had Advised and Procured this Speech to be made, to Contradict all their former Professions and Denials, except that in Imitation of a Great Historian (a) ; That Part of the Holy Writings, which some account Canonical, may be quoted ; viz. That the Omnipotent Governor, as he hates a Poor Man that is Proud, so he hates a Rich Man a Lyar ; for an Untruth may find Excuse, when Fear is the Cause of it ; because Fear is the Effect of Weakness ; and that Weakness is the Original Cause of the Untruth : But when Power, (the Character of the Almighty) is made the Supporter of Untruth, the Falshood is abominable ; for the Offender, advancing his own Strength, against the Divine Justice, deals in Untruths presumptuously ; and yet this was done by the Ministers : For if their Measures were to be measur'd, with the

(a) *Raleigh.*

Standard of the National Engagements, or of common Probity, or of the Laws of Nations, or of the Laws of God, or by the Standard of the *British* Interests, they would be found to be the Falsest and most Untrue of any Measures that were ever taken.

When this *Speech*, therefore, came to be debated in the House of Peers, touching the usual *Address of Thanks* for Royal *Speeches*, the Duke of *Marlborough*, with a Courage equal to That, with which he used, in the Field, to handle the *French* Armies, plainly asserted, That the Measures pursued in *England*, for a Year past, were directly contrary to the Queen's Engagements, sullied the Triumphs and Glories of her Reign, and would render the *English* Name Odious in all other Nations; rightly arguing, That such Measures, as would make the *English* Name Odious in other Nations, ought to be much more Odious in *England*, (meaning, that those Measures would assuredly Turn the Tide of Victory to the Enemy); than which, nothing could be more Odious. And here let me be pardoned, if I presume to say, That vain are the Arguments of the greatest Hero or Reasoner in the World, when they are urged to a Ministry resolutely engaged, in an Interest, contrary to the Interest of their Country.

And

And when a Noble Peer argued in that House, That the *Dutch* had not been so backward to Peace, but for a Member of that House, who kept a secret Correspondence :

Earl *Cowper* answered, It is justifiable to Correspond with an Ally, whose Interest, the Queen had declared, was inseparable from her own : But to Correspond, clandestinely, with the Common Enemy, who had declared he would Dethrone her, was Treason. But all was in vain ; for the prevailing Party, which now vilify'd Great *Marlbrough's* Victories, were engaged in an Interest, contrary to that of Victory, (*i. e.* to Turn the Tide of Victory).

However, it was moved by one of that August Body, That these Words should be added to the *Address*, To pray Her Majesty to take such Measures, with her Allies, as might induce them to join in a mutual Guaranty of the Protestant Succession. But the *Cabal* knew, that such an Attempt would contradict their Scheme, and the whole Tenor of their Measures ; and therefore, this Motion so enraged them, at printing the *Protest*, of the Dissenting Lords, expressing the Reasons, why they so struggled for the *Hanover Succession*, that the *Cabal* procured

procured the *Protest* itself to be expunged, by a Majority of 66 against 54.

The like Motion, for a General Guaranty of the Protestant Succession, was made by Mr. *Hampden*, in the House of Commons; and was, with the like Rage and Aversion, rejected, by a Party of 133 against 33, being four to one. And the Queen, in her usual Stile, Thanked the Commons for their Address of Thanks, *viz.* for shewing themselves (by rejecting the Guaranty) such real Friends to the Protestant Succession.

The Ministers, notwithstanding what was said, and as if they were (as in Fact they were) Strangers to the Sense of the Nation, advised the Queen, to repeat her *Speeches* of the like Nature: For, at the Rising of this Session, the *Speech* told the Parliament, That they had expressed their Sense of the Advantages to Trade, and the Security which would accrue to *Britain*, and to her Allies, by the Terms of the Peace; (meaning, by leaving *Spain* and the *West-Indies* to the House of *Bourbon*); and had asserted, That the Breaking off of her Treaty (for that End), would irrecoverably lose *Britain* the Advantages of Establishing a *Real Balance* of Power in *Europe*. And Her Majesty added her Desire, That the
Members

Members would, in their several Countries, obviate the Endeavours of the Seditious, who endeavour'd to Carry on *Designs they dared not to own.*

These Expressions of the Prevailing Party, have been pretty fully explain'd, by what Time and Experience have lately disclosed.

But now, leaving the Artful Conduct at Home, it is material to see, how the Turning the Tide, by the fatal Disunion, the Separate Treaty, and the Giving up the Prize to the Enemy, was received Abroad. The Indignation, with which the *Emperor*, the *States General*, and the Duke of *Savoy* received it, is beyond Expression: Every one disowned it, exclaiming, That They were Deserted, and Given up to the Enemy's Mercy. The *States* argued, That *France* had often powerfully solicited them to Disunite, and Treat Separately; but, that they had stood firm, and never would endure to hear of breaking their Engagements, in which (whilst observed) consisted their Power, Security, and Victory.

In short; this secret and avowed Disunion and Desertion of their Ally from them, confounded and distracted their Councils, and deprived them of Time to
Take,

Take, or ripen any tolerable Resolutions ; inasmuch as their own Sociates had led them up, into the Jaws of the Enemy, and then left them to be mastered.

For on the 14th of *June* 1712, Duke *Ormond* intimated to the *Imperial* and *Dutch* Generals, That he had Orders to Disunite, and march away with the Troops in *British* Pay ; and to Declare a Cessation of Arms, as soon as *France* had, according to some secret Agreement, deliver'd up *Dunkirk*, as a Cautionary Town, to perform the other Terms of the Disuniting Treaty.

The *Confederate* Generals Objected, That such a Disunion, would not only Turn the Tide of Victory, but, in the Situation they were, would give them up to the Mercy of the Enemy ; however, they were sure, the Foreign Troops in the Pay of *Britain*, would not act so wicked a Part, as to leave them to be massacred ; and accordingly the Foreign Troops insisted, That their Masters were Confederates, and had agreed to make them Auxiliaries, in the Confederate Army, to Fight the Enemy, and not Desert ; and therefore they did seasonably refuse to Separate, or to March with *Ormond* ; insisting, That the Grand Alliance, did not admit any Party to Treat
with

with the Enemy Separately, or to make Peace, or a Suspension of Arms, without Consulting and Agreeing with the other Parties. Which proved, that the Foreign Military Gentlemen were Men of strict Honour and Probity.

It was happy for the *Imperial* and *Dutch* Parts of the Army, that the Foreign Troops refused to march, or to abandon their Fellow-Soldiers: For *Villars*, pursuant to secret Engagements, had made Preparations, to fall on the Confederate Army, (in case the Auxiliaries in *British* Pay had separated), and consequently, to have killed, and made Prisoners, all the *Imperial* and *Dutch* Forces. And this Step (if it had been executed) had finished all the Cruelty.

Ormond's Declaration in the Army, and the Repetition of it, by the Bishop of *Bristol*, afterwards, in the Congress, drove the People in *Holland* into the deepest Desperation; they looked at one another as Men betrayed and undone, and became speechless; and yet, for the present, they continued inflexible and unanimous against submitting to the ruinous Terms, which the Enemy, in Conjunction with the *British* Ministers, endeavoured to impose.

But

But the Fulness of Time being come, when the Completion of the Ministers Measures, to Turn the Tide of Victory to the Enemy, against the Confederates, was to appear, *Ormond*, and (the Enemy) *Villars* (who had, from the beginning, kept a secret and affectionate Correspondence) now sent Expresses, openly, to one another: Which proved, that *Ormond* was not, at any time, an Enemy to *France*.

The *French* King, being displeased and angry at his Disappointment, and especially at the Loss of the Concerted Opportunity, to fall upon and slaughter Prince *Eugene*, and the *Imperial* and *Dutch* Armies, began to *Quibble and Chicane* about *Dunkirk*; viz. That the Condition, for Delivering up *Dunkirk*, was, That the Queen should make a General Cessation of all the Troops in her Pay; which Her Majesty had failed to perform: And therefore, when the Queen had done that, He (the King) declared, he would Deliver up *Dunkirk*.

By this Imperious Step, of the Comforted and New-raised Enemy, the now Naked Ministers were possessed with such *Fury*, as Wild Bulls in a Net, are possessed; inso-much, that during the Suspence, Duke *Ormond* received from *Britain*, a wild Letter,

ter, importing, That since *France* did not comply, in delivering up *Dunkirk*, according to the Secret Agreement, his Grace might understand himself, to be at Liberty, to act, as if no restrictive Orders had been sent him.

But this *Letter* being a crude and indigested one, and too obscure to be understood, by a General who had no Delight in Victory, nor Inclination to Glory, nor to treat his New Friends with such precipitate Rudeness, was soon contradicted, by positive Orders, to Separate, and to act in Concert with the Enemy, to *Turn Victory on their Side*.

This Separation and Desertion of Duke *Ormond*, so contrary to the principal Branch of the Grand Engagement, and so contrary to the Queen's solemn Message to both Houses of Parliament, of the 17th of *January* 1711, touching a strict Union, and touching her Resolution to Recover *Spain* and the *Indies* from the House of *Bourbon*, was, nevertheless, avowed by a *British* Secretary of State, who notified to the Foreign Ministers, (including the Minister of *Hanover*) That the Queen would not pay any Subsistence, Subsidy, or Arrears, to those *German* Troops in her Pay, who would observe the strict Union, and had refused

refused to obey Duke Ormond's *Disuniting* Commands, to *Turn the Tide of Victory* on the Side of the Enemy. Durst such an avowed and audacious Act, to betray his Country, have been perpetrated, if we had had a *Free Parliament*?

Duke Ormond, and the Enemy (Marshal *Villars*) Declared, in each Camp, a Cessation of Arms: From which time, *Ormond* changed Sides, and acted, openly, as an Auxiliary to, and in Concert with the Enemy, against the Confederates; whereby the *Tide of Power* was turned; for *Ormond* acted as an Enemy, and, by Direction and Advice of *Villars*, took Possession of *Ghent* and *Bruges*, as the best Means to stop the *Dutch* Navigation on the Rivers *Lys* and *Scheld*, by which Rivers, all their Warlike Necessaries were to be conveyed; and, by those Hostile Proceedings, *Ormond* did put a full Stop to the further Progress of the Confederate Arms, and turned the Stream to the Side of the Enemy; which was as bad as *pushing* the War openly, on the same Side with the Enemy.

This Demeanor of Duke Ormond, is not without a Precedent, altho' the vilest that History affords; for it resembled the Conduct of *Himilco* the *Carthaginian* General, who, under the State of *Carthage*,

commanded an Army, composed of *Carthaginians*, and of Confederate *Africans* and *Spaniards*, entertained and paid by *Carthage*, in the War against *Dionysius* King (or 'Tyrant) of *Sicily*; in which War, Sickneſs, and other Accidents, had reduced *Himilco's* Army to an Inferiority (as he thought) to the Enemy (*Dionysius*): therefore *Himilco* (with the Privy, doubtleſs of his Maſters, the States of *Carthage*) entred into a Secret Treaty with *Dionysius*, to make Peace: And *Dionysius* granted and agreed to the Terms, which *Himilco* demanded; but upon this Condition, That *Himilco* ſhould ſeparate and march away with his *Carthaginians* only, and leave the Confederate *Africans* and *Spaniards* to his Mercy. And to this lamentable Condition *Himilco* ſubmitted, and accordingly ſeparated, and marched away, in ſuch a manner, as left the reſt of the Confederate Army to be maſſacred; and then the Enemy (*Dionysius*) cut off, or rather, maſſacred, all the *Africans*. But tho' the *Spaniards* behaved (in their own Defence) with Obſtinacy; yet, to avoid the laſt Ruin, they were forced to ſubmit, and lay down their own Arms, (*i. e.* ſubmit to be diſarmed), and to take Arms under *Dionysius*. For my part, I can ſee no Difference in the Behaviour, but this; That the Diſtreſs and Fear of *Himilco*,
gave

gave him some Colour to act the miserable and wicked Part he acted: but *Ormond* was in the Higheft *Superiority*; and therefore he, wantonly and cruelly, and without any Necessity, acted his Part, as before is related, and, consequently, was the greater Offender.

These fatal Proceedings of the Duke of *Ormond*, having given, not only to the Enemy, the *Superiority* he had long wanted, but had animated his Army with new Courage, they (the Enemies) moved out of their Lines; and their Master (*Lewis the Fourteenth*) let the World see, that He (with the comfortable Assistance of *Britain*, who had given into his Hands the Power of Victory) could *Resume* his Predominance, and act with his former *Haughtiness*.

For Marshal *Villars*, with his Revived Army, finding the Tide turned, attacked and took a Convoy of 500 Waggon's carrying Bread to the Confederate Army, and surprized and assaulted *Denain*, and kill'd, wounded, and took Prisoners 8000 of the *Dutch* Forces in that Town; which differed little from a bloody Massacre.

Marquis *Torcy* instructed his Friend (the *British* Secretary, now raised to be Viscount *Bolinbroke*) That the Queen might now give Laws to those stubborn People, (meaning the *Dutch*), *provided She made a right Use of Ghent and Bruges, (i. e. to join the Queen's Forces to the French Army), and permit Them to Enter, that short Way, into Holland.*

The Secretary answered, That the Queen would take all proper Measures to *Overcome the Obstinacy of her Allies*, and to *Oblige* them to consent to her Terms of *Peace*; but that, a Joining her Forces, *openly*, with those of *France*, wou'd appear *too Gross*, and *Injurious*, to be *Excus'd*.

This Answer satisfy'd the Monsieur, who enough knew, that he had gain'd his Point, according to the Rule [*Divide & Impera*]; and that the Queen's Forces, Standing by, and Comforting the *French*, would be as effectual as an Open Conjunction. The Monsieur also knew, That, by the Separation of the *British* Forces, the whole Force and Energy of the Grand Alliance was *unravell'd*: For the Enemy, having prevailed on the *British* Ministers, to Turn the Tide, to Run against their own Confederates, the *French* General advanced,
and,

and, like a rapid Torrent, he assaulted and took the Abbey of *St. Anchin*, and 200 Men; the Abbey of *Hafnon*, and 100 Men; *Mortaign*, and 100 Men; *St. Amand*, and 800 Men; and *Marchiennes*, and 4000 Men; many of the Men being slain, and the rest made Prisoners of War: And in the last Town they took the *Dutch* Magazine, which consisted of 300.000 lb. of Powder, 100 Great Boats, 200 Cannon, 300 Wag-gons, a prodigious Quantity of Bombs, Granadoes, Bullets, Corn, Meal, Bacon, Wine, Brandy, and of all Sorts of Provi-sion and Tools sufficient for two Sieges, and a great Number of Horses: And all this was done in less than one Month after *Ormond's* Desertion; which altho' it proved a Loss irreparable, yet it sufficiently falsi-fied the groundless Accusations of the *States*, as if they had been deficient in their Quota's.

The Enemy also retook *Douay*, *Quesnoy*, *Bouchain*, &c. in *Flanders*; and besieged and retook *Landau* and *Fryburg* on the *Rhine*; and threatned to penetrate again into the Heart of *Germany*.

Miserable Events! What sort of Man must he be, whose Blood will not chill, at the hearing such bloody Calamities, if

the Source, from whence they came, be considered?

The *British* Ministers having thus transferred into the Enemy's Hands the Victorious *Power to Execute*, what they had Agreed; They (the Ministers) therefore killed and cut off the *Dutch* and *German* Forces, with the Sword of the Enemy, as plainly, as King *David* killed his valiant Champion *Uriah*, with the Sword of the Children of *Ammon*: And this was that Sort of *War and Victory* in which some People *delighted*.

Dismal was the Condition of the Confederates, after this *British* Defection: For Her Majesty's Plenipotentiaries pursued, with Vigour, their Measures, to Awe and Compel the *States*, to submit and come in to the Ministers Scheme; which now, they interpreted to mean, the Giving up *Spain* and the *West-Indies* to the House of *Bourbon*, and all other Fruits of their Charges, Blood, and Victories; and to Compel the *States* to submit to such Laws, as the Common Enemy, by their Assistance, imposed.

The Honest States General turned every Way, to avoid the Oppression: They argued, from the Merit of their past Services,

vices, in the Time of *England's* Distress, when their State, within 24 Years last past, adventured, in a most hazardous Undertaking, to Rescue *England*; which had proved successful, and had placed its Crown on *Protestant* Heads, of which Her Majesty's was one; and that therefore their State merited a suitable Consideration.

They also argued, from the Injustice, of Turning upon them the Tide of Victory, by the Disunion and Separation of the *British* Forces: For, in so doing, *Britain* made War, on the same Side with the Enemy, against her own Confederates; in regard, her Forces stood by, to see the Confederate Forces *Mastered*.

They also argued, That if the *British* Ministers had taken but as Just Measures, to Overcome the Enemy's Obstinacy, as they had Unjust ones, to Overcome their Friends; the End proposed at the Commencement of the War, (meaning, the Rescuing, from the House of *Bourbon*, *Spain* and the *Indies*) had been accomplished.

They further argued, That the Ignominy and Vexation, of descending from the Power of Conquerors, to Give Laws, (which they, in Conjunction with their Allies, might have done), down to the miserable Con-

dition of Receiving Laws, from a Haughty (altho' once a Conquer'd Enemy, was insupportable.

They argued with the Plenipotentiaries, after the manner King *David* argued, in *Psal.* lv. 12. *It was not the Publick Enemy, that brought us into this Distress; for then we might have provided against it: but it was you, our own Partner, our Allied Potentate, our Companion, in whom we trusted, that have led us into the Mischief.*

They Expostulated with the Plenipotentiaries, and Demanded to know, what the Ministers meant, by Advising the Solemn Message to both Houses of Parliament, on the 17th of *January* 1711? They asked, whether the Ministers of *Great Britain* cou'd descend from the Dignity of that Nation, to deal in Double Entendres to Deceive?

To which Arguments of the *States*, the Bishop of *Bristol* was not able to give any Answer, but such a one, as aggravated the Injustice, viz. first to do one great Injury, and then follow it with a greater: For the Bishop Taunted the *States*, and drew the last Weapon, and used it, with this Imperious Menace, "That the Queen, " finding they would not submit to her Dis-
"rections,

“ rections, He had received Orders to Declare, and did Declare to them, That Her Majesty looked upon Herself, to be Free from all her Engagements with them.” The *States* smartly replied, That if the Queen had Power, at her Pleasure, to Declare Herself Free from all Engagements with Them; Then, if New Engagements should be entred into, what Oath would secure the Performance? ” *Ad quod non fuit Responsum.*

The *Bishop's* Declaration amounted to this, (as the *States* apprehended) That the *British* Councils and the Enemy's were strictly United; and that the Ministers had now the Power at hand, to execute their Measures: The Truth whereof was fully evinced, by reflecting on what the Enemy, in a few Weeks after the Disunion of Forces, done had at *Denain, Marchiennes, Douay, Quesnoy, Bouchain, &c.*

This was unexpected Doctrine, fitter to come from any Mouth, than that, from which it proceeded: For the *States* understood the Bishop in this Sense; That as the *British* Ministers had, for a long Time, acted freely, without regarding the strictest Engagements; so now *Britain* would forthwith Join her Forces with the Enemy's Army,

Army, and give the Finishing Stroke to their Destruction.

And if this was the Ministers Meaning ; and if their Measures had proceeded to that Extremity, I may adventure to say, That these Ministers did more expressly endeavour to Subvert and Extirpate the Protestant Religion, and the Laws and Liberties of this Kingdom, than can be proved was done, by the Ministers of King *James the Second* : And therefore these Ministers did incur, much more deservedly, the Abdication and Vacancy of the Throne, than can be charged on King *James's* Ministers ; and doubtless the same Root, would have produced the same Fruit, if that detestable Practice had proceeded ; for the Ministers would have found themselves (like King *James*) Prisoners in the Midst of their own Army, and treated as the most Cursed of all Offenders.

For the Bishop had forgot, that he and the Ministers acted, like the Princes of *Judah*, who were like to those, who Remove Bounds, and Destroy Foundations, *Hosea* v. 10. *Psalms* xi. 3.

The *States* therefore bemoaned themselves, at their being so abandon'd, complaining, that they could not singly contend

(no

(no more than *Britain* could singly contend) with the Excessive Power of the Enemy, notwithstanding the Emperor, and some of their other Allies, spared no Pains to comfort them with Promises of the utmost Assistance : But, alas ! now *Britain* had changed Sides ; the Torrent of Fear and Despondency broke in so irresistibly, that all Hopes were overwhelm'd ; for they saw the *British* Ministers suffer themselves to be made use of, as Instruments (or rather as Captives) in the Hands of the Enemy, to turn and join in the Tide of Victory, and to push the War on his Side : And for that End, they covered his Approaches, and were contented to stand by, and see the *Dutch* Forces Slaughter'd, their Towns Taken, and their Magazines Consum'd ; and above all, to see the Enemy proceeding like a Flood, or Sea Tide, through the Gates of *Ghent* and *Bruges*, which Duke *Ormond* held in his Hands, ready to open and permit their Entrance, to immerse *Holland*.

And as an Addition to the unfair Dealing, they suffered greatly by Depredations made at the Mouth of their own Harbours, by the *Dunkirk* Privateers, who were furnished by the *English* Forces, after they had taken Possession of *Dunkirk*, with Ammunition : Without which, those Privateers, by Reason of their Poverty, cou'd have
done

done nothing ; for their Want and Distress was such, that the Price of Wheat in *Dunkirk* was at that Time seventeen Livres per Bushel.

The *States* had now, no Means left in this View, to avoid the last Ruin ; but to submit to, and receive the Cruel Measures, which the Enemy, by the Hands of their own Sociate, thought fit to impose : And the States, accordingly did *Submit and Sign* the Separate Peace, on the 29th of *December* 1712 ; but not without the last and utmost *Reluctancy*.

And to Compleat their Oppression ; they were, by the Influence of their Haughty Enemy, forced to give Thanks for the Usage, in Return for their former Fierceness, which their inflexible Efforts, to Rescue *Spain* and the *Indies* from the House of *Bourbon*, had sufficiently expressed. However, in these Moanings of the States, all good *Englishmen* felt, with them, an equal Grief and Affliction, to see *Britain* and its Friends so used.

My Uneasiness at the Motions of the Spirit of Slavery, which were Visible and Apparent in the Negotiations of those Times, drives me to expose the Fallacy which is lately insinuated by the *Crafts-man* of
April

April 3, 1731. in a Letter from a suppos'd
Anglo-Germanicus to Caleb D'Anvers Esq;
The Words whereof are these :

“ And here Mr. *D'Anvers*, I must beg
“ Leave to wish you Joy, on another Ac-
“ count ; I mean with Regard to the *Hague*
“ *Letter*, which you publish'd almost three
“ Months ago, concerning a Negotiation at
“ *Vienna* : For tho' No-body can be more
“ willing to believe, that this Treaty hath
“ laid a *Solid Foundation* for a General
“ Peace ; yet, at present, it does not appear,
“ that any other Powers have Acceded to
“ it, than *Great Britain* and the *Emperor*.
“ We are told, indeed, that the other Allies
“ of *Seville* are *Invited* into it, and I hope
“ they will Accept the Invitation : But can
“ it be call'd a *General Peace*, till they have
“ accepted it ? *Why was the Treaty of*
“ *Utrecht call'd a Separate Treaty* ? If I am
“ rightly inform'd, the *Negotiations were*
“ *constantly communicated to the Emperor*
“ *and Holland* : And when the Treaty was
“ *Signed without* their Concurrence, they
“ were *Invited* to Accede to it ; as they did
“ at last, (*i. e.* they were by Infidelity
“ compell'd to it.”)

Now why the *Crafts-man*, who whilst
he publish'd what was fit to proceed from a
Spirit of Liberty, was Commended, should
now

now Disclose such an Insinuation, as could proceed from no Genius, but from the old Spirit of Untruth and Insincerity, is a Secret too Difficult for me to account for; unless he is about to *change his Spirits*: For how else could he assert, That the separate Negotiations, which were secretly Carry'd on and Agreed to, for turning to the Enemy the Tide of Victory, and for Giving up *Spain* and the *West-Indies* to the House of *Bourbon*, were at first Communicated to the *Emperor* and *Holland*? Were they not industriously Conceal'd, and even magisterially Deny'd? One may, for that Reason, suspect, that his pretended *Anglo-Germanicus* was, at that time, an *Anglo-Gallicus*: For he, in Effect, confesses the gross Iniquity of that separate Negotiation, which I have taken so much Pains to expose in its naked Accoutrements. His Words are,

Let me add further, That separate Negotiations, (by which I mean, such as are carry'd on at first, without a General Concert of the Allies) may happen to Conclude in a General Treaty, Because those Powers who were not consulted at first, upon the Manner of such Negotiations, may be induced (i. e. forced) to Concur, when Communicated to them.

Now

Now it is well known, that the *principal Branch* of the Grand Allyance, by which the Queen engaged *Not to Treat* with the Enemy separately, without first Imparting to the *Emperor* and *Holland* her Design, and the Terms of her Intended Negotiation, was that Engagement in which the Allies most confided ; for every one of the Allies were very well appriz'd, that if any of them should Depart from or Break that Branch, and Treat with the Enemy separately, that Ally, whoever it should be, would sacrifice All the Rest to the Enemy, to receive such Laws as he, and such his new Ally, should Impose ; and therefore the Separate Negotiation which was carry'd on at first, without their Privity, was a most heinous Transgression, equally as void of Sincerity and Justice, as it was of good Sense.

Every one knows, that the Treaty which induc'd the *Utrecht* Peace, was the most *Important Treaty* that this Nation ever had to manage, and happen'd at a Time when it had the Greatest Power to make a *Good one*. And yet that Treaty was managed in the most *senseless Manner*, and was built upon the worst Foundation ; viz. Upon the Foundation of Turning to the Enemy the Tide of Victory : For what was *that Thing*, which the Enemy, at that Time, would not have

have given, for Removing his Terror (*Great Marlborough*) out of his Sight? Or what would he not have given, to Turn the Power of Victory to save his own Crown, and to his Grandson *Spain* and the *West-Indies*; on which the Victorious Allies had laid such *Hold*, as the Enemy's Power was not able to *Unloose*? Would he not have gladly paid all the Debts of *Britain*? And therefore the Writer condemns himself, when he points out some *Fruits*, of that Separate Treaty; *viz.* That the Demolition of *Dunkirk* being left to be done by the *French* themselves, They only, have Power to Demolish it, and to hinder (and do hinder) any others (so much as) to Cast Stones into the Harbour's Mouth to help the *Demolition*: And yet after those Treaty-makers had given away the *Commanding Power*, they expect the present Ministers shall without that *Power*, provide such a proper *District* of Ground to Defend *Gibraltar*, as is apparently necessary, and which they had Power to provide; but most unfaithfully left Unprovided, and which cannot now without such Efforts, as may Endanger a new Disorder and a general Confusion, be obtained.

However this Writer owns, that good *Admonitions* have (as in Fact they have) at last turn'd our Ministers out of the *wrong*
French

French Channel into the *right German* Channel, of Politicks : But every one knows, that the late Ministers were so incorrigibly obstinate and resolute to proceed in their own wrong Way, to turn the Torrent of Victory to the Enemy, that no *Admonitions*, or Reasons, or Danger, nor even *Shame itself*, could turn them out of the *French* Channel, which led to their Darling Atchievement of Giving up *Spain* and the *West-Indies* to the House of *Bourbon* ; or from their *inflexible Inclination*, to Restore the Enemy, from the Misery of having his Men, his Money, and his Provisions, *Exhausted* ; or from his being in every Place Vanquish'd ; or from placing him in a State and Condition, (as he was afterwards) in every Place Victorious ; or from Assisting him to prescribe Laws to his Conquerors.

But to return : The *British* Ministers, who now valued themselves on their Obsequiousness to the Enemy, were, in their highest Exaltation ; *France* therefore, on her Part (as in Duty bound) repaid them with such Praises, as the most Eloquent could Express ; and the *Pretender's* Party, with Pleasure, Refounded the Echo : But History will remind *Britons*, that the evil Use, which was made of the National Victories, was a *Treason* that is indelible ; and daily Experience will shew them, what Things, for the Ad-

vantage of Trade, those Victories gave the Ministers Power to Do, and which they (injuriously to the Nation) left Undone.

Before this Matter is dismiss'd, it is material to remember, how the Lord *Bolingbroke*, when he went to *Paris*, in *August 1712*, was Caress'd: The *French* King's Compliments exceeded, what he had ever before condescended, to express; and yet he could not forbear twitting his Lordship, by telling him, what He (the *French* King) had Power (by Vertue of the Power *Britain* had given him) to do (but had forbore to do) even against *Britain*. And as to the People, when his Lordship went to the Play or Opera in *Paris*, the Concourse of Nobility and Gentry to see the Man, who had done so much to turn the Torrent of Victory, to Save them, was greater than was ever known in that *Metropolis*: But what those People thought of this Great Man in their Hearts, is only to be suppos'd; but we may imagine, what Sort of Adulation, to the Prime Minister, wou'd have been paid, if he had gone to *Paris*, (as *Torcy* did to the *Hague*); for what could the *French* People have done, sufficient, to honour that Great Man, who had Restor'd their Master from being Beaten and Subdu'd, to be a Conqueror; not only to give Peace, but to prescribe the Terms of it, to all his Enemies?

mies? The *Frenchmens* Sentiments could not be less, than, That he was the Greatest of Friends to *France*, and the Greatest of ——— to *Britain*.

But the most Extraordinary, and most Detestable Circumstance, which in such a Transaction ever happen'd, was, That the Enemy had the Tide of Victory Turn'd, and *Spain* and the *Indies* given to his Disposal, and all the other valuable Services done, without parting with the least Power or Trade from himself in Exchange; for the Benefit of those, who frankly saved him from the *Ultima Pernicies*, and gave, or suffer'd him to Command, what he most Wanted: No, he was not Required, in his lowest Distress and Humiliation, to Refund to *Britain* so much as its Charges in Ease of the National Debts: For as to the Fortifications of *Dunkirk*, the Enemy would not be brought to Offer them, otherwise than to Sell them, for an Equivalent, which contented him, (*i. e.* for a Valuable Consideration): And therefore we may conclude, that the Root that fed all these miserable Proceedings, was, the Want of *Free Parliaments*; for the Body of the People were at that Time intensely bent, to pursue the Beaten Enemy, till they reaped the Fruit of their Victories, or at least a Reimbursement of their Debts: And therefore these, wilful

Omissions or Concessions knowingly made, may be made use of, as the strongest Evidence to prove, that there was such a secret Article agreed on, touching some **Coup d'Eclat** and the Sponge, as is before hinted at.

The stupid and puerile Excuses which the Ministers afterwards in this Reign resorted to, to cover the ill Shape of their Negotiations, discover'd their personal Insufficiencies; for some of them wanted not the Weakness to say, that Prince *Eugene* and the *Imperial* and *Dutch* Armies, deserted and separated from Duke *Ormond*, and not he from them: But this Figment (though provoking) produc'd such Laughter only as proceeds from Indignation, after the Opportunity is lost irrecoverably.

To what hath been written on this Head, this Observation may be added; That it was the vast Reputation which the Victories gained under *Marlborough's* Conduct had acquired to the Government, that enabled the Ministers to carry on such destructive Negotiations; for if the Terrible Fear of the Enemy had not been by those Victories Removed, those Services which the Ministers did for the Enemy, and the Abuses they (to serve him) imposed on the *Victorious General*, had never been Attempted, or however could never have been Accomplished:

So

So that the very Reputation Gained by the Victories, Raised that Power, by which the Allies, and the *Captain* who Gained them, were afflicted and maltreated.

The Separate Peace, between France, Britain, and Holland, being thus concluded, upon the Terms the Enemy himself prescribed; the next Matter that came upon the Stage, was the Question, Whether the Protestant Succession was well Secured, or left Insecure and in Danger? Which Question arose from the Queen's Speech of the 6th of June 1712; because Her Majesty had in that Speech, made the Article for Securing that Succession the first Article (as if the same were the most Important) of the whole Treaty. Her Words were indeed Specious; viz.

The Securing the Protestant Succession in the House of Hanover, being what I have nearest my Heart, particular Care is taken to have it Acknowledged in the Strongest Terms, and to have the Additional Security of the Removal of that Person, who pretends to Disturb it, out of the Dominions of France,

The Matter of the Protestant Succession was momentous, because the *French King* had not only Owned another *Person* for King of *England*, but had Declared to all the

World, That if he could place that *Person* on the Throne of *England*, All his Wishes would be *intirely Accomplished*. To which may be added, That the Securities which the Ministers had provided by a bare Verbal Acknowledgment, and a Transitory Removal of the *Pretender*, out of the *French* Dominions, were unequal to the Importance ; for no manner of Care was taken to Refrain the *French* King, so much as by a speculative Promise, not to Assist the *Pretender*, altho' that Potentate had hazarded, for him, even his own Crown ; and therefore the Care of the Ministers, appearing so Trifling, and Superficial, and the Omission so Apparent, the same inferr'd a Presumption and Suspicion, violent enough to equal positive Proof, that a Secret Article to make some *Coup d'Eclat*, as is before-mention'd, lay Conceal'd : And that this *Omission* was made on purpose, to Leave a Door open, for that Undertaking.

But above all, the Grand Concern of this Article, made it Necessary to the Ministers, to have Imparted the Nature of it, to the next and Immediate Successor, as the Party most Concerned, before any one Step had been made in the Treaty : But that being Omitted, *Common Fame* made the Presumption of some Dangerous Secret the Stronger,

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The Parties therefore for and against the Protestant Succession, may be distinguish'd by these Names ; viz. *Zealots for the Protestant Succession*, and *Zealots for the Contrary Measures*, (meaning something they knew not what) ; or, in shorter Words, *Zealots for Hanover*, and *Zealots for the French Measures*. It is Remarkable, That all the Efforts of the *Zealots for the Hanover Succession*, centred in these Two Expedients :

1. To procure the Contracting Parties in the Treaty of *Utrecht* to become *Guarantees* of the *Hanover Succession*.

2. That the *Pretender* might be *Remov'd out of Lorrain*.

But we shall see how the Ministers (in Power) *Baffled* both these Expedients.

The Reasons for Apprehending Dangers to the Protestant Succession, were these :

1. The Primary and Grand Reason was, (as is just mention'd) That the Ministers had not, in this momentous Matter of State, so much as *Imparted* this Article of the Treaty, to the Protestant Successors ; but the same was with Strictest Care, conceal'd from them, altho' they were the Parties most concern'd.

2. Because the Queen's Speech of the 6th of *June* 1712, (which made the first Discovery of this Separate Treaty, and of this Grand Article of it) treated that Important Matter, with an Indifference, that proved the Ministers made a Jest of it; for they knew, how easily the Enemy could, at Pleasure, Retract and Disown, his Acknowledgment, as he had done in the Case of King *William*.

3. Because the Zealots, for the contrary Measures, treated those Motions, to procure the *Guaranty*, with Scorn and Indignity.

4. Because the Ministers had procured the Parliamentary Addresses, to Remove the *Pretender* out of *Lorrain*, to be Treated with *Coldness* and *Reluctance*.

5. Because two Addresses from Certain Burghs in *Scotland*, Insinuating their Satisfaction, in Case her Majesty would please to Choose her Successor, were Received and Accepted with seeming Pleasure, at least without any Disapprobation.

6. Because Dr. *Sacheverell's* Service, in Condemning the Revolution, for being Inconsistent with the Doctrine of Unconditional

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nal Obedience, was Rewarded with the Parsonage of St. *Andrew's Holborne*, (being one of the best in *England*.)

7. Because the Ministers procur'd the Duke *D' Aumont*, Ambassador of *France*, to be Treated with Uncommon Marks of Favour and Distinction : For as an Addition to the Rest, the Royal Palace of *Somerset-House* was allowed for the Residence of him and his Retinue ; One of whom was (as it was Violently presum'd) a Certain Gentleman of pretended Great Quality, lately come from *Lorrain* : Which could mean nothing less, than that *France* was to do for *Britain* some Uncommon Services ; for all the Papists and Jacobites Believed, and sometimes Bragged, that *France* was to Enable, a New Appointment of a Successor.

8. But that which afforded the Strongest Proof of the Danger, was, that the Ministers did daily Remove, and caused to be Removed, the known Friends of the Protestant Succession, from Employments Civil and Military, and placed in their Room, Men of Contrary Inclinations : But as to the Military Places, Orders were given, that None should Continue in their Posts, or have new Commissions, but such as would engage to Serve, without Asking Questions.

9. Because

9. Because the Queen's Speech to the New Parliament (on the 2d of March 17¹³/₁₄), was fram'd of Bold and Daring Expressions, viz.

There are some, that are Arrived to that Height of Malice, as to Insinuate, that the Protestant Succession, in the House of Hanover, is in Danger under my Government : Those, who go about to Distract the Minds of Men, with Imaginary Dangers, can only mean to Disturb the Present Tranquillity, and bring upon us Real Mischiefs. I cannot mention those Proceedings, without some Degree of Warmth, and must tell you, that Attempts to Weaken my Authority, or to Render the Possession of the Crown, Uneasy to me, can never be proper Means, to Strengthen the Protestant Succession.

These Uncommon Expressions pointed directly at the House of Hanover, and plainly signified the Ministers Fear of the Hanover Party, or some Efforts from that Quarter, because Baron *Bothmer's* Memorial had declared, That his Master could not look on the Disunion, and on Subjecting the Nation to a Foreign Power, or on his own Deprivation, with Indifference ; and the rather, since those Acts were (as They were Con-

scious

scious to themselves) not Inferior to those, on which was founded, the Abdication.

These Words of this *Speech* were therefore plain and significant, and sufficient to Convince every Man (except such as resolved *not* to be Convinced) That there were Secret Measures on the Anvil, to Disappoint the *Hanover Succession*, which lay covered.

And to these Particulars, it may be added, That the Rage of the Party in that House of Commons, which mal-treated the Great *Marlborough*, and his Adherents, was such; that no Considerable Friend of the *Hanover Succession*, could escape their Malice: For they voted the Lord *Townshend*, who had Treated and Settled the Barrier for the *Dutch*, to be an Enemy to his Country; for no Reason, but because there was a Clause, in the strongest Terms, inserted in that Treaty, to Support and Maintain the *Hanover Succession*.

Mr. *Steele* was, in this House of Commons, Accused and Prosecuted, as a *Libeller*, for Writing and Printing a Treatise, call'd *The Crisis*, and some other Papers, in which he exposed the late *Peace*, for Giving up *Spain* and the *West-Indies* to the House of *Bourbon*, and for Endangering the Protestant

testant Succession ; and with fundry other Facts, that were equally undeniable : And altho' Mr. *Walpole* defended him, with a most forcible and eloquent Argument, especially in relation to the *Hanover Succession*, which was unanswerable ; yet the Majority supply'd the Want of a Reply, and Mr. *Steele* was, by a Majority of 245 against 152, Expell'd the House. And here it is to be observed, That no People did more Cry up and Applaud Duke *Marlborough's* Victories, than the Protestant Dissenters, and the *French* Refugees : And therefore, it may be presumed, that the *French* Influence produced these Efforts.

1. The *French* demanded Satisfaction against Monsieur *Dubourdiou*, for some Expressions, in his Sermons, reflecting on the *French* King's Breach of the Edict of *Nantz*, and Persecuting the Protestants.

2. They insisted, That the Pension paid to the *French* Refugees, should be stopt ; and it was stopt.

3. That the Protestant Dissenters should be chastiz'd, with some severe Law, tending to their Extirpation.

And in this last Proposition, the Rage of the Party, against the Protestant Succession, comply'd

comply'd with the *French* Demands: For they pass'd a Bill, that had in it, more Inveteracy, than any former Hardship; which was call'd the *Schism Bill*, the Severity whereof, was to take Place on the 1st Day of *August* 1714.

The Symptoms of Danger to the Protestant Succession, occasioned (on the 5th of *April* 1714) a hot Debate in the House of Lords, upon the State of the Nation, where the Question propos'd, was, Whether the Protestant Succession was in Danger, under the present Administration, or not? But it was carry'd in the Negative, by 76 against 64.

In the Debate of this Question, there happened some Arguments about the State of the Nation, more smart and solid, than any, that had before been urg'd, and therefore they merit a special Remembrance; viz. The Earl of *Anglesey* said, That when he came into the House, he thought, indeed, the Protestant Succession to be in Danger; but not from any Quarter, but from *France*: But that after he had heard, what many Noble Lords had alledged, against the Ministers, and no Answer offer'd to confute it, either by the Ministers themselves, or their Friends, he could not but believe, that
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testant Succession ; and with fundry other Facts, that were equally undeniable : And altho' Mr. *Walpole* defended him, with a most forcible and eloquent Argument, especially in relation to the *Hanover Succession*, which was unanswerable ; yet the Majority supply'd the Want of a Reply, and Mr. *Steele* was, by a Majority of 245 against 152, Expell'd the House. And here it is to be observed, That no People did more Cry up and Applaud Duke *Marlborough's* Victories, than the Protestant Dissenters, and the *French* Refugees : And therefore, it may be presumed, that the *French* Influence produced these Efforts.

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the Succession was in Danger, under such an Administration.

His Lordship also endeavoured to Clear himself, for having had a Share in some late Transactions : I own (said he) I
 “ gave my Consent, to the Cessation of
 “ Arms ; for which I take Shame to my-
 “ self, and ask God, my Country, and my
 “ Conscience, Pardon : But however, this
 “ Fault I did not commit, ’till that Noble
 “ Lord (turning to Lord Treasurer Ox-
 “ ford) had assured the Council, That the
 “ Peace would be Glorious and Advanta-
 “ gious, both to Her Majesty, and her
 “ Allies : *Adding*, That as the Honour
 “ of his Sovereign, and the Good of his
 “ Country, were the Rule of his Actions ;
 “ so he had no Respect of Persons : And
 “ when he found himself Imposed on, he
 “ durst pursue an Evil Minister, from the
 “ Queen’s Closet to the Tower, and from
 “ the Tower to the Scaffold.”

The Lord Treasurer (*Oxford*) was so wounded with this Bolt, shot by One who had believed, and was mis-led by him, that he laid aside his former Bouncing Epithets (*Glorious* and *Advantagious*), and dwindled into *mean Shifts*, saying, “ The
 “ Peace was as *Glorious* and *Advantagious*
 “ as could be expected, considering the
 “ *Necessity*

“ *Necessity of Affairs*, and the *Contradi-*
 “ *ction*, the Queen’s Ministers had met
 “ with, both at Home and Abroad.”
 It is probable, he would have had the
 Lords believe that *Necessity* and *Contra-*
diction had caused the Ministers to Give
 away to the Enemy the Prize Contended
 for ; I mean, *Spain*, and the *West-Indies*.

To which mean and insipid Excuse,
 several Lords replied, “ That no Ministers
 “ ever had it, in their *Power*, to make so
 “ Honourable and Advantagious a *Peace*,
 “ as the Queen’s Ministers had : That
 “ there never was any *Necessity* to Dis-
 “ place the *Victorious General*, or to make
 “ a *Cessation of Arms* : Neither had the
 “ Ministers met with *Contradiction*, either
 “ at Home, or Abroad ; but such *Contra-*
 “ *dictions*, as endeavour’d to hold them
 “ back, from yielding *Spain* and the *West-*
 “ *Indies* to the House of *Bourbon* ; which was
 “ an Act, beyond all Example, *Inglorious*
 “ and *Dangerous*.” And the Duke of *Argyle*
 (who had lately returned Home from *Port*
Mahone through *France*, where he had ob-
 served, the Marks of a General Desolation),
 added, “ That there could be no *Necessity*,
 “ to Conclude a *Peace*, so precipitately,
 “ or to quit the Prize, to a Prince, whose
 “ Dominions were exhausted of Men,
 “ Money, and Provisions ; and which the
 “ Mini-

“ Ministers fully knew ; or else they were
 “ fit for nothing, but for what they per-
 “ formed, viz. To make such a *Peace*,
 “ as would be *Inglorious* and *Disadvanta-*
 “ *gious.* ”

Thus were the Ministers publicly
 Charged and Arraigned with *Folly, Villainy,*
and Knavery, to their Faces. And tho’
 the Motion, about the *Danger* of the Pro-
 testant Succession, was rejected ; yet the
 Lord *Hallifax* moved, on the same Day,
 for an *Address, To Remove the Pretender*
out of Lorrain : And Lord *Wharton* ad-
 ded, *And to have a Proclamation, promising*
a Reward to Any, that would Apprehend
him, Dead, or Alive : And Duke *Bolton*
 added, *And that the Reward might be suit-*
able to the Importance of the Service.

These Motions were carried in the
 Affirmative ; but with these enervating
 Mitigations, proposed by the Lord *North*
and Grey, and Lord *Trevor,* viz. “ That
 “ the *Reward* should be, in case the *Pre-*
 “ *tender* Landed, or Attempted to Land ;
 “ and that the *Proclamation* should issue,
 “ when the Queen should judge it neces-
 “ sary.” These Mitigations were Car-
 ried.

To

To this *Address*, the Queen gave (on Monday the 12th of April 1714) this Cross and Reflecting Answer, *That it would be a Real Strengthening to the Succession, in the House of Hanover, if an End were put to those groundless Fears and Jealousies, which had been industriously promoted; meaning, by those Addressing Lords, and their troublesome Addresses.*

And as to the *Proclamation*, Her Majesty said, *She did not, at that time, see any Occasion for it; but whenever She judged it to be Necessary, She would give Orders for having one Issued.*

It is observable, That none of the Lords, but the Zealots for *Hanover*, attended the Delivery of this *Address*; and therefore, the Reflection, for *Fears and Jealousies*, which Her Majesty call'd *Groundless*, was levell'd at them, and at them only. The Zealot Lords took this *Dry Answer*, about *Lorrain*, and the *Proclamation*, as a flat Denial, and were, at that time, well enough pleased; because they privately knew, it would, at this time, seasonably *Increase and Justify* those their *Fears and Jealousies*. For on the very Day before, viz. in the Evening of Sunday the 11th of April 1714; Baron Schutz, Envoy Extraordinary from
O the

the Court of *Hanover*, had Convened the Zealot Whig Lords and Gentlemen to the Lord *Halifax's* House in *Westminster*, and there laid before them his Orders from the Electoral Prince, His Royal Highness *George Augustus* Duke of *Cambridge*, (and not from his Father, the Elector), to Demand of the Queen, a *Writ of Summons*, to Call Him (the Duke of *Cambridge*) to his Seat in this present Parliament; and also the Form of a *Petition*, to be deliver'd to the Queen, for that Purpose.

At which, the Surprize and Joy of the Whig Lords were equal; but those Lords having received so many Repulses, they advised the Baron to lay aside the *Petition* to the Queen; apprehending, that Her Majesty wou'd (as certainly she wou'd) either directly Deny the *Writ*, or Reject, Delay, or Elude the *Petition*; and therefore they advised the Baron, to apply to the Lord Chancellor *Harcourt*, and Demand of him, the *Writ of Summons*, as being the proper Officer to cause the same to be Made out, and Delivered: For which Proceeding, this Reason was then given; That if the Lord Chancellor Refused to Deliver the *Writ*, the House of Lords, then sitting, had a Jurisdiction and Power, to Enquire into, and immediatly Censure, the Denial, and to Order the *Writ* to be Made out, and
Deli-

Delivered. But the sudden Transport and Joy of those Lords, so convened, caused them to forget, that Baron *Schutz* might have done both; *viz.* if the Queen were Averse, he might immediately resort to the Lord Chancellor, and make the Demand.

However, the Lords, wisely, directed the Baron, to keep his Orders strictly secret, and to appear at Court the next Day, when the Lords were to wait on, and present to the Queen, their *Address* about the *Proclamation*, and the Removing the *Pretender* out of *Lorrain*; and to apply himself to the Lord Chancellor, (as in Private, and in a Corner) and acquaint him, That He (the Baron) had a Message to his Lordship, from *Hanover*; and that he desired an Hour, when he should Wait on, and Deliver it to him.

The Lord Chancellor (like a true Courtier) told the Baron, He should be proud, to receive any Message from his Court; and appointed that very Afternoon, between Five and Six, to receive it, at his House in *Lincolns-Inn Fields*.

When the Baron came, and (after some Compliments) told his Lordship, That he, by Order of His Highness the Duke of Cambridge, did request his Lordship, to Make

out, and Deliver to him, the Writ for the Duke ; the Lord Chancellor was, at first, much surprized : But after a short Pause, he asked the Baron, Whether the Matter had been *opened* to the Queen ? To which the Baron answering, No : His Lordship said, *This Demand is of such Importance, that I can do nothing in it, 'till I have the Queen's Directions ; and I will forthwith acquaint Her Majesty with it :* But laying his Hand on the Baron's Shoulder, desired him to remember, *He did not refuse the Writ.* To which the Baron smartly replied, and desired his Lordship to remember, *He had requested of him, the Writ for the Duke of Cambridge.*

A Cabinet Council was instantly Called, and Sate that Evening from Nine of the Clock 'till after Eleven ; where the Queen, being present, had the Disappointment, to see all her New Champions, for Carrying on her Measures, want Courage to Deny the *Writ* ; but in Room of it, to represent to Her Majesty, That the *Writ* could not be Denied ; and, probably, they insinuated, That *Power was not, yet, at hand*, to Justify the Refusal. Which *Defection* had such an accidental and unexpected Influence on Her Majesty's Person, as subjected her to an Infirmary, that could not be removed ; for, at the End of Three Months and Nineteen

teen Days, She Demised. But, upon the Ministers Shrinking, the *Writ* was Ordered to be Made out, and Delivered ; and it was Delivered to Baron *Schutz*, on *Saturday* the 17th of *April* 1714.

This Demand being the next Day (*Tuesday*) whispered in the *Court of Requests*, cast such a Damp on all the Zealots for the Queen's Measures, that they could not hinder their Dejected Countenances, and Faltring Tongues, from betraying their Inward Concern, and Deep Consternation.

The Ministers had the Vexation to see, on the four next Days, viz. *Wednesday*, *Thursday*, *Friday*, and *Saturday*, the Street, call'd *Pall-Mall*, crouded with a vast Concourse of Coaches, and Multitudes of People, to Congratulate Baron *Schutz*, and Monf. *Krynenberg* (at whose House the Baron lodged), upon the Demand of the *Writ*, and the Hopes of the speedy Arrival of the Duke of *Cambridge* : That, although the *Writ* was, at the End of five Days, viz. on *Saturday* the 17th of *June* 1714, Deliver'd to Baron *Schutz* ; yet the Queen, in her Anger, to see the People, so generally, run to worship the Rising Sun, caused Baron *Schutz*, on the next Day, being *Sunday* the 18th of *April* 1714, to be forbid the Court ; and Injunctions to be laid on all

her Ministers, Not to have any Intercourse or Correspondence with him : And the Ministers gave out this Pretence for that Outrage, *viz.* Because the Baron had demanded the Writ of the Lord Chancellor, without having first acquainted Her Majesty with his Orders, and applying to her for it.

However, the Joy of the Demand of the Writ, and the Hopes of seeing a Prince of the Royal Protestant Blood, in *England*, spread to the farthest Thatcht Ale-house in *England*, *Scotland*, and *Ireland* ; which made a Discovery of such Numbers of Well-affected People, as afforded to the Zealots for *Hanover*, a vast Comfort ; and to the Zealots for the contrary Measures, an equal Dread and Distraction.

There's no Doubt but the Ministers apply'd, at this time, to *France*, for Assistance, and received an agreeable Answer : But at that time, the *French* King was engaged to attend the Negotiations at *Rastadt*, in regard the Peace with the Emperor was not yet Concluded. But, doubtless, that Potentate promised, That as soon as that Peace was finished, and his Hands untied, he would march his Forces to his Frontiers next *England* : Which would give the Ministers, and their Friends, sufficient
Life

Life and Encouragement. But the Urgency of the Case, was, That if the Duke of *Cambridge* should forthwith Land, as he might, and as the People expected ; the Ministers Measures would be first intirely disconcerted, and then the *French* Assistance wou'd come unseasonably.

The Ministers, therefore, could find no other Means to remove their Fears, and to obviate the Disappointment, than to *Violate Free Parliaments* ; which they forthwith undertook, and effected : For, on the 19th of *May* 1714, being within one Month after Baron *Schutz* was forbid the Court, the Ministers, in the Queen's Name, sent three Imperious Letters to *Hanover*, all signed with Her Majesty's own Hand.

One of which Letters was directed to her Royal Highness the Princess *Sophia* ; in which the Queen declared, “ That Disaffected Persons had entred into Measures, “ to fix a Prince of her Highness's Blood, “ in her Majesty's Dominions, even whilst “ she was Living : That She (the Queen) for “ her Part, never thought such a Project could “ have enter'd into her Highness's Mind : “ But now she perceived, her Electoral Highness was Come into that Sentiment ; and “ therefore She (the Queen) Declared, That
O 4 “ such

“ such a Proceeding would *Infallibly En-*
 “ *danger* the Succession itself.”

Another of these Letters was Directed to his Highness the Elector of *Brunswick*; and in that it was Declared, “ That if his Electoral Highness’s Son, (the Duke of *Cam-*
 “ *bridge*) presum’d to Come within the
 “ Queen’s Estates, (*i. e.* Her Dominions)
 “ She would Oppose him with all her
 “ Power.”

And the third Letter was Directed to the Electoral Prince, (then Duke of *Cambridge*), and therein it was *Declared* to him, “ That
 “ his Design of Coming into her Majesty’s
 “ Kingdoms, ought to be first Opened to
 “ Her, and to have had Her Permission;
 “ And that therefore, nothing could be *more*
 “ *Dangerous to the Right of Succession in his*
 “ *Line*, than such a Proceeding;” (meaning
 his Proceeding to take his Seat in Parliament.)

And these three Letters were accompany’d with one from the Prime Minister, directed to his Electoral Highness: In which may be seen a Heap of Words, chosen, to mean nothing. These of them are uncommon: (*I doubt not but the Accident that happened about the Writ may be Improved, to Increase the most perfect Friendship between the Queen, and your most Serene Family*).

But

But what this Politician meant by the Words (*Accident, Improved, and Increase*) no-body but himself could understand; for doubtless all the three Letters were of his own Composing, or at least Advising: And therefore his own Letter, endeavouring to Obscure, and make Ambiguous the Queen's, could favour of nothing, but Chicanery, and that he meant to deal with the House of *Hanover*, as he had done with the *Emperor*.

All these Letters, being of a Surprizing Nature; it is material to observe, what may be inferr'd from and prov'd by them: And in order to that, it must be remember'd, that the Queen did, in *October 1706*, *Elect* the Electoral Prince of *Hanover*, to be a Lord of Parliament, and, by Letters-Patent under the Great Seal, Created him Duke of *Cambridge*.

That Her Majesty gave the Royal Assent to the Acts of Parliament following; *viz.* to an Act, in her first Year, To make it High Treason, to Endeavour, by an Overt Act or Deed, to Deprive or Hinder the Princess *Sophia*, or the next Person in Succession, after her Death, from Succeeding to the Crown. And to an Act in her fourth Year, To *Naturalize* the Duke of *Cambridge* by Name, which made him Actually and Expressly (and not by Implication) a Free-
man

man of *England*. And to an Act in her tenth Year, To give Precedence to the Duke, by Name, in all Places, (including the Parliament) before all the other Subjects of *Britain*; and in the same Year made the Duke a Knight of the Garter. By all which Publick Acts, and by the Fundamental Constitution of Parliament, his Highness the Duke of *Cambridge*, had an Undoubted Right, to Demand, and have, his Writ of Summons, and to Enjoy his Privilege, and Seat in Parliament.

It must be remember'd, That *Magna Charta* Restrains the Crown from Disseizing any Freeman of *England* (much less a Duke) of his Freehold or Privileges, (i. e. from Divesting or Taking from him his Free-hold or his Legal Privileges).

The Statute of the Seventh of King *Edward the First*, Declares, That the Crown is bound, by its Prerogative, to protect the Parliament from all Force and Violence.

And that by the Statute of 38th of King *Edward the Third*, Anno 1364, It is Declared, That the King is bound, by his Coronation Oath, to Observe, and to Govern according to the Laws of the Land.

These

These Letters (and the Rage of them) therefore, furnish abundant Matter to prove these Things ; *viz.*

1. That the Demand of the Writ of Summons did not *Create, but Precipitate* the Discovery of that Bitter Animosity against the House of *Hanover*, which lay conceal'd ; and that this Animosity and daring Boldness, expressed in the Letters, was founded on some *Secret Power at hand* to Execute what was Agreed, and to Maintain the Justice of a *Spunge* : For who could deserve greater Punishment, than Those who had voluntarily advanced Money, to Carry on such a War, and Delighted in such Victories ? And what Reason, in such a Case, would have been heard, to Question the Justice of such Proceedings ?

2. The Ministers did, by the said Letters, endeavour to Subvert and Violate *Free Parliaments*, because the Taking away, or Enfeebling of any Principal Part, brings a Lameness and Deformity upon the whole Body, and at last confounds it.

3. That there was Entertain'd and Agreed on, a Lurking Project *to Endanger* the Protestant Succession, and that the Ministers depended on *Power at hand* to Support 'em
in

in the Execution ; for their whole Negotiations were *Secrets* : and this Project is (very near to Demonstration) proved by the Coldness which appears in the Article of the Treaty, for Securing the Succession to the House of *Hanover*, and by the Bitterness of the Queen's Letters, which had never been so daringly express'd, if the Ministers had expected ever to see a Prince of *Hanover*, Sit on the Throne of *Great Britain*. And this Proof may be further Illustrated by the *Warmth* which the Enemy (now Restored to his former Power) had, in his said Circular Letter, dated in *March* 1707, signify'd to the Neutral Potentates ; *viz.* That he had been long of Opinion, *That his Assisting the Pretender would be for the General Good of Europe ; and that therefore he had Equipp'd at Dunkirk, a Squadron of Ships, and Furnish'd him with Troops, to take Possession of Scotland ; and that his Wishes would be intirely Accomplish'd, if Success on that Effort, should be the Means of a Lasting Peace, so necessary to Europe.*

4. And lastly, these Letters prove these Two further Deductions ; *viz.*

1. That the Ministers had dealt so long in *Treasonable Practices* against the Interest, Power, Trade, and Free Parliaments of *Britain*, that they forgot, there was any
such

such Crime as *Treason*; esteeming That no Crime, which was like to find no Punishment.

2. That the Dread and Confusion of the Malefactors, was Inexpressible, lest the Duke of *Cambridge's* Sudden Arrival (before the Peace at *Rastadt* was Concluded) should write Disappointment, on all their Schemes, and, perhaps, Pursue, and Treat them as Publick Enemies and Offenders.

The Demand, therefore, of the Writ of Summons, gave New Life to the Zealots for *Hanover*, and Distracted the Zealots for the Contrary Measures.

In this Place, I think, I may, without Offence, take the Liberty to insert a short but material Piece of History, to prevent the *Wrong* which the Author would suffer, if it should be bury'd in Oblivion; viz. That the Author of the *Britannick* Constitution, observing, that the Queen, by her Speech of the 6th of *June* 1712, had treated the Securities, she had provided, for the Protestant Succession, with such Coldness and Indifference, as in all Probability was Increas'd by Baron *Bothmer's Memorial*; and (being a Zealot for the *Hanover* Succession) he formed in his Mind an Expedient, how to introduce into *England*, a Prince of
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that

that House, Interested in the Succession, and reduc'd it into Writing, and found Means to convey his Thoughts to that Court; for which End, he wrote to this Effect; *viz.*

“ That he observ'd, That the Queen had
 “ expressed Great Affection to the Succession, in the House of *Hanover*, but had
 “ treated the Succession, to the Crown of
 “ *France*, in a more becoming and serious
 “ manner, insisting, that the Provisions,
 “ she had made to Secure that Succession,
 “ were not Speculative, but Solid; because
 “ the Persons in *France*, to whom, that
 “ Crown was to belong, would be, (as her
 “ Majesty was pleas'd to say) Ready and
 “ Powerful enough to Vindicate their own
 “ Right.”

This Gentleman, therefore, argued, and urged, to the House of *Hanover*, That if the Queen and her Ministers did imagine, they had made such a strong Provision, for the Succession, to the Crown of *France*; and if the Strength of that Security, subsisted on this Hypothesis, That the Persons in *France*, to whom, that Crown was to belong, wou'd be Ready and Powerful enough, to Vindicate their own Right; that is, that *that* Readiness and that Power, to Vindicate their Right, must arise, from their

their Possession, and from their Presence, on the Spot in *France*, to lay immediate Hold on the Crown so soon as it Demis'd, and to Vindicate their Right to it: And that, if that Way of Reasoning was Clear and Convincing, (as her Majesty Asserted) in Relation to the Succession to the *French* Crown, it was equally so, in Relation to the Succession to the *British* Crown; (meaning, it was equally Reasonable, that the Queen should provide, as Strong a Security for the Succession to the *British* Crown, as she asserted, she had provided for the Succession to the Crown of *France*.)

And therefore this Gentleman propos'd, That the Plenipotentiaries for *Hanover* should, at *Utrecht* Congress, insist, that an Amendment should be made to the first Article of the Treaty, mention'd in the Queen's Speech; viz. That after the Words; [*But to have an Additional Security by the Removal of that Person out of the Dominions of France, who has pretended to Disturb this Settlement*], these few Words should be added; [*And that Liberty be Allowed, to such Prince of the House of Hanover, to Reside in England, as the Princess Sophia should Desire or Appoint.*]

Many were the Arguments, this Gentleman urged, to shew the Facility and Great Use
of

of this Expedient, and above all, that it would push the *British* Plenipotentiaries, to a Necessity of pulling off the Masque; for if they Oppos'd it, it would disprove the Queen's Speech: The News whereof would Distress the Ministers in *England*, where the People were, at that Time, viz. in *August* 1712, Tender of the Protestant Succession, but were made to believe, that the Queen's good Intentions, towards that Succession, were Real and Sincere.

To which, this Gentleman received from the Court of *Hanover*, Answers, intimating that his Proposition, and the Arguments to support it, were by that Court esteem'd, to be of Grand Importance, and much Valu'd; and therefore he was desired to continue the Correspondence, *promising Returns for the Service*: By which he, with the Greatest Pleasure, apprehended himself to be *Engaged*, in the Service of that Illustrious House, *and They to him*; and therefore he cast out all Doubts, whether the *Returns*, promised for a Service so much wanted, and so uncommon, would be suitable or not.

But the Objections which the Ministers made, were, How can this be done by Us? It should be done by *Great Britain*, and her Ministers. And many other Difficulties were raised, too long to repeat; where-
upon

upon the Correspondence ceas'd for near one Year.

But in *September 1713*, when all Mens Minds were engaged, in the Elections for a New Parliament, this Gentleman received a fresh Request, from Monsieur *Leibnitz*, a Minister of the Court of *Hanover*, convey'd to him by Doctor *Brandshagen*, desiring him to resume his Thoughts, of finding Means to Introduce a Prince of *Hanover*, into *England*, alledging, That there had Arisen a Cloud over their Succession, thro' which they could not see.

This Service was, at this Time, and in *March 17¹³₁₄*, become Dangerous; for the Spirit and Power of the *British* Court, by the Peace lately made with *France* and *Spain*, and by the immediate View of finishing the Treaty between *France* and the Emperor at *Rastadt*, was very much elated, and become Terrible: However, the Gentleman being a Zealot, and Engaged in the Service of the Illustrious House of *Hanover*, adventur'd his Head, and with Vigour, on the 20th of *October 1713*, and on the 9th of *March 1713*, Advised (as the last Remedy in an Acute Disease) the Strenuous Demand of a Writ of Summons for his Highness the Electoral Prince, to Call him, as Duke of *Cambridge*, to his Seat in Par-

P

liament,

liament, or else all would be lost ; for the *French* Power would in a few Months be at hand, to Execute what had been Agreed : And what that was, the Suspicion was become General.

And for that Purpose, this Gentleman sent to *Hanover*, the Form of a Petition, to be presented to Her Majesty, Requesting Her to Grant that Writ of Summons : And also sent Arguments to Explain the Demand, urging, that the Granting the Writ, was a Matter of Right, and not of Grace and Favour ; and that the Demand would be accompany'd, with the Force and Energy of the whole Constitution, and Laws of *England* ; and consequently would appear to be a Demand that was undeniable.

This Advice was taken and pursued, and the Legality and Force of the Demand was found to be irresistible ; for no Man (no, not the fiercest Zealots against *Hanover*) durst stand up to Oppose it : And the Queen herself, being present in Council, saw Her most Assuming Ministers Shrink, and give Way to the only Demand, they fear'd, and therefore hated.

The Secrecy of the Advice, and the Unexpectedness of the Demand, was, what most troubled the Ministers ; for all the
Zealots

Zealots for *Hanover*, Commended the Effort, and Assisted in it; but each of them, justly, Disown'd, Giving the Advice, notwithstanding the Merit of the Service was own'd to be Eminent: The Ministers therefore began to suspect one another; and Mr. *Tho. Harley*, (a Kinsman and Agent of the Prime Minister) tho' he had been a considerable Time at *Hanover*, could make no Discovery of the Correspondence, nor could find what Steps were taken at that Court, in Concert with their Friends in *England*, towards Vindicating their Right to the Succession, or Revenging the Affronts and Injuries done to the Duke of *Cambridge*.

The other Part of the Cabal, who groaned under Earl *Oxford's* Overbearing Conduct, laying all Circumstances together, raised from Them, an Untrue Imputation, and possessed the Queen with an Opinion, That no Man could be Author of such Stinging Advice, but the Inscrutable Minister, (Lord Treasurer *Oxford*), as if he were making (at their Expence) his Peace at *Hanover*; and the Queen fearing, and Believing it, deliver'd him up to their Disposition: And they Affronted and Despised him, and with Contempt turn'd him out, no Man Pitying him, but all Rejoycing to see him stripp'd of all Employments.

This Unparallel'd Statesman, who had, by Groundless and Unjust Aspersions, procur'd *Marlborough*, (the Greatest Hero of the World) to be Disgrac'd, found himself, by the like untrue Calumnies, Supplanted and Disgraced; according to the old Axiom, *Nec Lex Justior ulla, quam Artificem Necis, Arte perire suâ.*

The Facts of this Gentleman's Correspondence will appear in the *Appendix* perspicuously.

It was a memorable Part which the Emperor, in these Distracted Times, acted; for in Regard *Britain* had asserted, That the *Undoubted Prerogative* of its Crown had Authorized the Unprecedented Proceedings, before Rehearsed, His Imperial Majesty, in his Turn, Exercised his *Undoubted Prerogative*, and Expressed his Disdain and Resentment against the *British* Plenipotentiaries, for Changing Sides, and Joining with the Haughty Enemy, to Compel Him (the *Emperor*) to take what that Enemy Carved; as being Efforts of Unfaithful Friends, who are ever the worst of Enemies: For which Reasons, he would not so much as Endure their Presence, at the Place (*Rastadt*) where his Conferences with the Enemy, were Carry'd on with the utmost Secrecy: And altho'

altho' this Affront, was a Dishonour to the Queen, that smarted to the Bone, yet the New Ally stood Mute, and Winked, and perhaps Smiled, at Her being after the Separation, so Insulted : Which Disdain of the Enemy afforded to the Emperor some Alleviation, and the Double Indignity, afforded to the Duke of *Marlborough*, a sensible Pleasure, to see what he asserted, verif'y'd ; viz. That the Ministers Unjust, and Inglorious Conduct, would render the *English* Name, not only Odious in other Nations, but even in *France* itself Contemptible.

This Exclusion, of these his Secret Enemies from *Rastadt*, gave the Emperor Time to Defer the Conclusion of the Peace with *France*, for one Year and six Months ; viz. till about the 26th Day of *August* 1714. Before which Time, his Imperial Majesty, had the further Pleasure to see his Unfaithful Friends, Disgrac'd and Stripp'd of the Power, they had so perniciously Exercised.

But to return to the State of the Nation, from which I made this Digression, I think I may justly make this Conclusion ; That Providence made, *the Demand of the Writ of Summons*, the Means to Cause the Queen and her Ministers to Review and Ruminare, not only on the Desperate Steps, They had

taken to Violate *Free Parliaments*, and in them the *Rights of the Duke of Cambridge*; but their own Industry, to Transfer into the Enemies Hands, together with *Spain* and the *Indies*, the Power and Trade of the World.

The Contemplation therefore of these Violations of *Free Parliaments*, produc'd those Disorders, Jealousies and Confusions at Court; in which the Queen Expired, and with Her the Cabal; and the whole Machine of the Conspiracy, fell to Pieces, and a Hole was made in the Bag, thro' which the Secret Measures, yet unexecuted, dropt into Perdition; and the Protestant Succession happily took Place on the first Day of *August* 1714, just twenty-six Days before the Peace with the Emperor, was sign'd at *Rastadt* (alias *Baden*): By which Peace, the Hands of *France* were Unty'd, and set at Liberty to furnish the Queen with Power and Assistance (if she pleas'd) to Execute what she had secretly Agreed on, (altho' it were to Appoint her Successor): But Thanks, be to God, this Power Coming too late, was of no Signification.

The Queen's Demise gave the People (who Delighted in Victory, and in the Torrent of it, against *France*, and in the Protestant Succession) a Joy, that was Universal; for

for her Majesty left nothing behind her, but the Miserable Remembrance of *Dotage*, in the last four Years of her Reign ; which *Dotage* consisted of Two Grand Particulars :

1. Of that bad Use that had been made of the long Series of Success and Victory, which Providence gave to this Nation, and which had given to Her Majesty's Ministers Power to have done Greater Things, (especially for the Benefit of Trade) than any former Age, had ever afforded.

2. Of that View which was left to *Britons* of the Unequal Balance of Power which had been fixed in the Crown of *France*, and the Dread of it, which was once Crush'd ; but the Ministers Raised, and left it, to be a Terror to *Britain*, and an unkind Legacy to the Protestant Successors.

These two Instances cannot be made Intelligible, without a short Recapitulation of what is before related, but I forbear Prolixity: But if Men would reflect on the State of *Britain*, before related, with Indifference, they would see that the Nation was, at the Queen's Demise, left in a most Uneasy and Perplex'd Condition ; struggling under a Load of Debts, and under a Balance of Power too heavy for it singly to contend ; and in

Point of Reputation, under the Greatest Disparagement.

And having thus represented the many Violations of Parliaments in former Reigns, I think I may conclude, That the Contemplation of them, was the Cause of making those Numerous Laws, since the Revolution, to Restore and Secure the Freedom and Independancy of the House of Commons; which I shall but just mention.

For Free Parliaments are so much Idolized by the People, that Care was taken at the Revolution, in 1688, to insert three Articles in the Bill of Rights, to declare the Constitution of Parliaments; *viz.*

1. That Elections of Members of Parliament ought to be free.

2. That Freedom of Speech, and Debates in Parliament, ought not to be Impeached or Questioned, out of Parliament.

3. That Parliaments (*i. e.* New Parliaments) ought to be held frequently.

But because this last Clause was industriously misconstrued, to mean Frequent Sessions of the same Parliament, and not Frequent

Frequent Elections of New Parliaments, an Explanatory Act was made,

6^o *W. & M. cap. 2.* Wherein it is Declared, That Frequent and New Parliaments Tend, to the good Agreement of King and People : And therefore it is Enacted, That no Parliament should have Continuance, longer than three Years.

And in order to Clear and Render free and inflexible, the House of Commons, It was Enacted by the Statute of 7 *W. 3. cap. 4.* That every Person, that gives any Present, or Promises to give any Present or Reward to any Elector, or to or for the Use or Benefit of any *Town of Electors*, in order to be Elected, shall be *Disabled* to Sit or Vote in Parliament.

But the Jealousy and Care of that Parliament, which Limited the Crown to the Protestant House of *Hanover*, was so Intent and Zealous to keep the House of Commons Free and Unbyass'd, as Exceeded all their Predecessors. For

12 *W. 3. cap. 2.* One of the Articles provided in the Settlement of that Succession, was, That no Person, who hath an Office or Place of Profit under the King, or receives a Pension from the Crown, should be

be Capable of Serving, as a Member of the House of Commons.

This Parliament, either was a *Free Parliament*, or else, one that Desired to be *Free* : And yet this Important Clause, was, by the Statute of 4 *Anne*, cap. 8. §. 25. Repealed, without rendring any Reason, save only these obscure Words, *viz. And it appearing reasonable, that the said Clause should be Repealed.*

But to make that Repeal palatable, another Clause was substituted, disabling any Member to Sit and Vote, who, after his Election, should accept an Office of Profit from the Crown.

But this Provision was weakened, by a Provifo, that makes such Place-Members, capable of being Re-elected.

By the Statute of 6 *Anne*, cap. 7. §. 25, 26. Every Person, having an Office holden in Trust for him, or having any Pension from the Crown, during Pleasure, is disabled to be elected, or to sit and vote in the House of Commons.

And by the Statute of 1 *Geo. 1.* cap. 56. reciting the last-mention'd Act, it is, for *Securing the Honour of the House of Commons,*

mons, Enacted, That no Person, having a Pension from the Crown, for any Term or Number of Years, either in his own Name, or in the Name of any other, in Trust for him, or for his Benefit, shall be capable of being elected, or of sitting and voting in the House of Commons; and a Penalty of 20 *l. per Diem* is imposed on such as have such Pension, and yet presume to sit and vote in that House.

4. *As to the 4th Consideration*, touching the Reasons why a further Law is yet necessary, to supply the Defect of Evidence, and to make effectual those late Laws, to render *Free*, the House of Commons;

It is remarkable, that the Statute of 7 *Will.* cap. 4. (tho' well intended) proved of no Signification, for *want of providing* Means or Evidence to prove the Facts; which that Statute made *Offences*; and a Remedy at Common Law, to punish, with some *Stigma*, the Offenders, that would make them Ignominious. The Impunity, therefore, made the Offenders think that no Fault, which was like to find no Punishment, and, consequently, made them Presumptuous; insomuch, that in the Latter-end of Elections, the Candidates, in many Places, frequently caused Outcries to be made publickly, even in the Market-place, That
if

if any Elector had not voted, he should have such a Sum of Money, if he would vote for the Giver. These bare-faced Insults called loud for Redress; and accordingly, a most wholesome Statute was made, in the 2d Year of our Sovereign Lord, King *George the Second*; whereby it is Enacted, That every Elector, before he gives his Vote, *shall take an Oath*, That he, or any other for him, hath not received or had any Money, or *Reward*, nor any Promise or Security for any Money or Gift, in order to his Vote, at that Election; and that such Oath (if false) shall be *corrupt Perjury*, and punished as such; and that every Person, convicted of such Perjury, shall never be capable to vote again, and, moreover, shall forfeit 500 l.

It is, in like manner, remarkable, That the Statutes of 6 *Anne*, and 1 *Geo. I.* which disabled Members, who have Offices holden in Trust, or who have Pensions, either at Pleasure, or for Years, to sit and vote in the House of Commons, have proved entirely *useless* and *ineffectual*; because the Secrecy of the Fact, is Inscrutable: And therefore, to make those Laws effectual, a Bill, in order to pass into a Law, commonly call'd *The Pension Bill*, has been twice brought into the House of Commons, providing, that every Member shall take
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an *Oath*, That neither he, nor any other for him, hath any Pension or Office, &c. nor will, during the Time of his being a Member, *accept* of any Pension, or other Gratuity or Reward, or any Office from the Crown, without signifying the same to the House within fourteen Days : And imposing great Penalties and Incapacities, for the Breach of this, intended, Law.

This Law (if it had passed) had secured to us *a Free House of Commons* : However, it must be remember'd, that, to the exceeding Honour of the Commons, it passed that House, in two several Sessions, without Opposition.

But by what Fate that Bill, which tended to establish the Freedom and Independancy of the House of Commons, as an essential Part of the Fundamental Constitution, came to miscarry a second time, lies not within my Comprehension.

However, the Fate of that Bill, turns Mens Minds to think of the Obligations which the Constitution hath laid on each of the Three Estates, to Assent to Laws and Remedies, for Removing National Grievances ; especially, such Grievances as tend to subvert the Rights or Freedoms of any one of the other *Ches.* And as
to

222 *Free Parliaments, &c.*

to those Grievances, I may (as I think) safely put our Patriots in mind of certain Instances, to Redress Them, which do appear in our Ancient Laws and Statutes, to have been in Old Times practised ; *viz.*

I. As to the most Excellent Estate, or Supreme Governor :

In the Statute *De Asportatis Religioforum*, made 35 Ed. I. Anno 1306, the *National Grievance*, which the Commons then remonstrated to the King, was, That the *Superiors* of the Religious Orders of *Augustines, Benedictines*, and other Orders (being Aliens) assumed a Church Dominion and Power to *Impose*, and (by the Influence of the Bishop of *Rome*) did *Impose* Taxes on the Monasteries, Priories, &c. in *England*, and thereby Impoverished those Charitable Foundations, by drawing away the Revenues and Substance of *England*, to maintain in *Grandeur*, Foreign Ecclesiasticks ; It was therefore, by this Statute, asserted, That King *Edward the First* was Obligated, (the Words are, *ut Tenetur*) as King, to give the Royal Assent. And His Majesty did accordingly give the *Royal Assent*, to that Statute, which the Temporal Lords and Commons (exclusive of the Prelates) had Devised, To Restrain and Prohibit the Sending Abroad (under Pre-
text

text of Taxes so Imposed) the Monies and Riches of *England*.

2. In the Statute of *Provisors*, made in the 25th Year of the Renowned King *Edward the Third*, Anno 1351, the *National Grievance*, which the Commons then remonstrated to the Crown, was, That the Bishop of *Rome* had assumed a Dominion, and Power, to *Dispose*, and *did Dispose*, of all the Ecclesiastical Benefices, in *England*; whereby Lay-Gentlemen (who were Patrons) were deprived of their Patronages; which was an Usurped Church Dominion, sufficiently Provoking: And therefore, it was expressly asserted by the Temporal Lords and Commons, That since the Right of the Crown, (*i. e.* the Royal Trust), and the Law of the Realm, is *such*, That when Mischiefs and Damages happen to this Kingdom, the King *ought*, and *is bound*, with the *Assent* of his People in Parliament, to make *Remedy and Law*, (*i. e.* to give the *Royal Assent* to such a proper Law), to avoid the Mischief and Damage, as his People, in Parliament, should *Devise and Chuse*. And this Great King *Edward the Third*, did, in Execution of such his Regal Trust, *give the Royal Assent* to this Statute, to Remove and Prohibit that Grievance.

3. In

3. In the Statute of *Præmunire*, made in the 16th Year of King *Richard the Second*, Anno 1392; the *National Grievance*, which the Commons then complained of, and represented to the Crown, was, That altho' all People ought to Sue, in the King's Court of *Common Law*, to Recover their Presentations to Churches; and altho' the Bishops are bound to make Execution of the King's Writs, upon Judgments obtained, to Recover such Presentations, in regard, no Lay-*Person* cou'd Institute to those Benefices: yet, of late, a Church Dominion had been usurped, and Proceſs had been made, by the Bishop of *Rome*, to Excommunicate such Bishops of *England* as made those Executions: And that *Common Fame* had made a Clamour, That the Bishop of *Rome* had purposed to make *Translations* of Prelates, from one Bishoprick to another, in *England*; and of *English* Prelates from *England*, to Bishopricks Abroad; and of *Alien* Prelates, to Bishopricks in *England*. And from thence, the Commons urged, That the Crown, as well as the People of *England*, must necessarily become subject to the Church Dominion of the Bishop of *Rome*, and the *English Laws* depend on his Will and Pleasure. Wherefore, the Commons declared, They would be with the King, to Live and Die with him, against all Attempts to
Acquire

Acquire or Exercise such Church Dominion.

The Commons therefore prayed the King, and him *required*, by way of Justice, To Enquire (and Enquiry was made) into the Sentiments, first, of the *Lords Temporal*, and next, of the *Lords Spiritual*, Whether They would be with the King, or not, against the Bishop of *Rome*? To which the *Lords Temporal*, each for himself, answered fully in Parliament, That They would be with the Crown, *with all their Power*. But the (a) *Lords Spiritual* (*viz.* the Prelates) minced their Answer with a *Protestando*, That it was not their *Intention* to Deny, or Affirm, that the Bishop of *Rome* may not Excommunicate *English* Bishops, nor that he may not make such *Translations* of Prelates; and then jejunely (like Half-Subjects) answered in Parliament, That if any Excommunications should be made for Executing the King's said Writs, and if any Executions of such *Translations* should be made, such Proceedings would be against the King and his Crown.

(a) Note, This was the first time that the *Stile* of *Lords Spiritual* was given to the Prelates.

And thereupon the King did (as the Commons *Required*) Give the *Royal Assent* to this Statute to *Redress these Grievances*, by Enacting, “ That if any Person should
 “ Sue, or cause to be Sued, in the Court
 “ of *Rome*, or *elsewhere*, for any such
 “ Translations of Prelates, or for any Pro-
 “ cesses or Sentences of Excommunica-
 “ tion, &c. which should touch or concern
 “ the King, or his Crown, or his Realm,
 “ *They*, and their Maintainers, and They
 “ who should bring, or attempt to bring,
 “ the same into this Realm, or should re-
 “ ceive the same; and also Those who
 “ should Sue in any other Court, in
 “ Derogation of the King’s Crown and
 “ Dignity; Should be put out of the King’s
 “ Protection, and incur the Penalties of a
 “ *Præmunire*.

Now, if this Assertion, That the First and most Excellent Estate, or Supreme Governor, is *Engaged* to protect the People from *Grievances*, before they happen, and to give the *Royal Assent* to Laws to Redress them, after they happen, is, by those ancient Statutes, Warranted; Then I may conclude, That the Royal Assent never ought, nor will be given, to any Law that may be possibly devised or presented, that will or may create an Apparent or Publick
 Grievance.

Grievance. And as to any other of the States, it may be Argued, (but I am far from Concluding), *Quod in majori non valet, non valere debet in minori.* However, a Commoner may, without Offence, mourn for the *Pension Bill's* Miscarriage; because the People of *England* look upon a Free House of Commons, as their *Asylum*, and even as their *Idol*; making that Creature, which They themselves first formed, the Theme of all Discourse; and consequently, they look upon an Unfree House of Commons, as Enemies.

I should not have said more of this Bill, if the Writer of *The London Evening Post* of April the 20th, 1731, had not furnish'd a transcendent Question of State, in relation to *Free Parliaments*; which consists (as he says) of Words *supposed* to be spoken by a *supposed* Prelate, concerning the *Pension Bill*: I need not repeat the very Words, but state the Sense of them, which (if I don't mistake) is;

1. That whatever tends to break the *Balance of Power* between the Powers *Essential* to this Constitution, will prove the *Ruin* of the Whole.

Q 2

2. That

2. That Independant Powers in the House of Commons, are inconsistent with our Constitution.

3. That if the Members of the House of Commons should be obliged *to discover, upon Oath*, whether they have, or will, accept of any Pension, Gratuity, Reward, or Office from the Crown (during the time of their being Members) *Without* signifying the same to the House within fourteen Days; which, if true, would make a Disqualification, by Virtue of former Laws, to Vote in that House: That therefore such a new Law, as shall provide such a *Discovery*, will greatly *Enlarge the Power of that House*.

4. That such an *Enlarged* Strength and Power, would enable the Commons to *Over-bear* the other Two Estates.

If I mistake the Sense of the Words, I must ask Pardon: If not, then that *Evening Writer* is modest, in saying, He knows not whether that *Doctrine* in Politicks, which I take to mean, *flexible Powers* in the House of Commons, that are Controulable, by some other, (i. e. *Pendere ex Nutu Alterius*, to Depend on Another's Beck) be right, or no. But in saying, That he doth
Justice

Justice to the supposed Adversary to that Bill, in printing his very Words ; I think he means to shew, that the String of Aspersions, which the *Craftsman* hath endeavoured to fix on that *Doctrine*, (to wit) That the Sower of it, was Mercenary, and Abandoned, and Dared to plead for a *Dependence* of the Parliament on the Crown ; and that such a Dependence was Iniquitous, Dangerous, and the *Creature* of Corruption ; and that such an Effect would be as Infamous, as the Cause ; as if the *supposed* Assertor had Defended, and even Recommended *Corruption*, to be a Necessary Ingredient of Government : I say, I think that the *Evening Writer's* Meaning was, to shew, that those Aspersions on that *Doctrine*, were Injurious and Unmerited.

I think the *Craftsman* was too Rash and Precipitate, to pass such a Judgment, without giving the supposed Author of that *Doctrine*, who must be supposed to be Learned, a Reasonable Time, to make an Explanation ; which might, probably, confound the *Craftsman* himself : Because such a Learned Planter of Truth, (if a Prelate) would no more advance a *false Doctrine* in Politicks, without, or against Reason, or Authority, than he would an *Erroneous Doctrine* in Divinity.

And therefore, since the *suppos'd Sower* of that Seed, hath made the Constitution the Measure or Criterion of Government, by which his *Doctrines* are to be Justified or Condemned, it must be supposed, that he can define or describe all the Material Parts of his Constitution ; and how, and where it differs from, that Constitution which is Exhibited in the Book call'd, *The Britannick Constitution*, where its several Parts have been so describ'd and prov'd, by such Evidences, as have not, as yet, been Deny'd, or attempted to be Disprov'd, or Vary'd in any one Particular : From which it is inferr'd, That those Evidences cannot be encountred, with any other of equal Authority. In which Work he may find, that *Freedom of Voting*, is a Power that is of the Essence of the House of Commons, with this Restriction only, That neither that House, nor either of the other Two Estates, ought to Invade, or endeavour to Subvert, or to Traduce, or Detract from, the Rights, Authorities, or Dignity, of any other of them ; but if this *Privilege*, with this Restriction, be not of the Essence of the Constitution, let it be Contradicted and Disproved. And moreover, he may find in that Book, That it is asserted, as an Unquestionable Position, That the Parliament (of which the House of Commons is a Part) is,

is, in regard to the precise Times of their being Called, Prorogued, and Dissolved, dependant on the Crown, with some Restrictions there subjoined : But this Dependance concerns not their Power when Assembled.

The Learned Propagator of the *Doctrine* in Question, (if any such Person is in Being) can, doubtless (and I hope will) shew us these Things :

1. The Distinction and Reason, Why the Power of the Electors of Members in making Elections, should be intirely Free and Independant, (which, I presume, he will not deny); and yet why the Powers of the Elected, when Assembled in Parliament, should not be, equally free, to Vote without Influences, is necessary to be Illustrated.

2. What is the *Balance*, and which are the three Essential Powers, in this Constitution, which make that *Balance*.

3. Why the Power to Vote Freely in the House of Commons, will *Enlarge the Power* of that House, or give it *Strength to Overbear* the other Two Estates, of the King, and the Lords; or will make that House so *Independant*, (i. e. so Uncontroulable) as to be Inconsistent with our Constitution; and why, and for what Reason, the Power

of the Commons to Vote Freely, will *Ruine the Balance* between the Powers, that are Essential to this Constitution.

And above all, That he will please to produce his Evidences, to prove his Assumptions: For since the supposed Author of this Doctrine, must be suppos'd to be, as able, to shew a Reason and Authority for his *Political Ones*, as he is to shew a Reason and Authority for his *Spiritual Ones*, I think I may presume to say, It is not only Expected, but he is, with Great Deference, Desired to shew those *Proofs*, and especially those *Times*, when the Third Estate or House of Commons, was Treated with Impunity, as an Estate, that was Unfree or Dependant; for either an *Explanation*, or a *Recantation* may possibly be call'd for, or at least Satisfaction for the Injury done them, may be demanded, whenever that House shall make Inquisition for such Doctrines as Sap their Foundations.

To this I may add, That the supposed Assertor of this *Doctrine*, was pleas'd (as the *Evening Writer* writes) to protest thus: *Let Bribery be punish'd, let Corruption be punish'd.* But this was like a Man, that has secretly poisoned his Neighbour, and then knowing the Fact cannot be proved, cries out, *Let the Murderer be punished.* Whereas if a Protestation had been made, *Let Bribery be*

be Discover'd, (which was all that the Pension-Bill required) *and then punish'd*, his Argument had made a greater Impression.

And here I may crave Leave to surmize, That if any suppos'd Prelate, did really (which I cannot believe) speak as the *Evening Writer* writes, such Words as he says, were his very Words; That that Prelate (if any such be) when he was Advanced to the Prelacy, was apprehended to be a great Proficient in Reason; and therefore tho' my Lot was to have but a small Share of that Faculty, yet I do, with great Respect, presume to Argue and Reason, after this manner; *viz.* That *Man* was, in his Creation, made a *Dependant Creature*, attended with Continual Wants. To supply which, he is bound by Prayer, to make *Continual Applications* to his Creator; which is, in Effect, to Exercise his *Continual Dependance*.

But if any Person, whether Spiritual or Temporal, will please to read the *Britannic Constitution*, he will find that the Special and Particular *Powers* which are Appropriated to, and Vested in the House of Commons, are *Powers* given to them, by their Original Constituents, and especially that *Grand Power*, to give or deny Monies, for the Publick Service; in which they are to act *as Judges*, whether
such

such Monies are Necessary or not, and whether the Uses for which the Money is Demanded, are Good or Bad for the Nation.

For in this Case, the Commons do not Resort to the King, or to the Lords, as their *Principals* or Constituents, to Ask their Leave or *Power* so to do; but, on the Contrary, the Commons Do, and Ought in some Cases, to Resort to their *Principals*, their Electors, for Directions: And in the Case of Money, the Commons are the Giver, and the King the Receiver.

For his Majesty, upon passing a Money-Bill, which is always Delivered, by the Speaker's Hands, to the King in Person Sitting on the Throne in Parliament, is always pleased to give Thanks for the Gift, to the Commons in these Words, *Le Roy Remercier ses bons Sujets, & Accepte leur Benevolence*. In English thus; *The King Thanks his good Subjects* (the Commons), *and Accepts their Benevolence* (or *Voluntary Gift*). But when that Gift is to pass into a Law, the Lords are to Assent or Dissent to it, as a Law; but do not make the Gift, nor can Alter, Diminish, or *Enlarge that Gift*: And the King adds to his Thanks, these Words; *Et ainsi le Veult*. In English thus; *The King Wills* (as the Lords have already Willed) *That this Gift do pass into a Law*.

And

And as to this, I may add what the Lords Temporal and Commons Asserted in the Year 1300; viz. That from the *First Institution* of this Kingdom, the Kings thereof, ought not Do the Things mention'd in Pages 14, 15. Which I take to be a Warrant for me to Assert, That in that *First Institution*, the *Power* last mention'd, to Give or Deny Money, and some other *Powers*, of the Commons, were made *Independant*.

And therefore I think I may, from this Way of Reasoning, conclude, That this Grand and Magnificent *Power*, of Giving or Denying Money, is not only an *Independant* (but a Happy) *Power*: For the Prince of Truth hath said, (a) *That it is more Blessed to Give, than to Receive*. Which I may apply, by Parity of Reason, That it is *more Blessed to the Commons of England, to Give a Law, to Raise Money, than to Receive a Law, to Raise it*. And so it may be said of some other *Powers* of that House.

If I have said more of the *Pension-Bill*, than is material, I hope much of it, may be plac'd to the *Evening Writer's Account*:

(a) Acts xx. 35.

However,

However, it will give a full Opportunity to the *supposed* Author of the New Notions in Question, to maintain his own *Doctrine*, without which mine cannot be Evinc'd.

But a Certain Gentleman of *Cambridge* hath, by a Letter from that University, Printed in the *Daily Post Boy* of *May* the 8th, 1731, made an Essay to Do what I Called for: Upon which I would observe, wherein he and I agree, and wherein we differ.

We both agree, that Bribery and Corruption of Members of Parliament, is a Grievance of a Depraved Nature, because it poisons the Constitution in the very Fountain; and that therefore Knaves dare not, and Honest Men will not, Defend it.

This Gentleman therefore makes the Single Point in Dispute, to be, whether the Method proposed by the *Pension-Bill*, to Discover and Stop the Bribery, was an Effectual Method, and Consistent with our Constitution, or not.

He says the supposed Prelate's Apprehensions, Why the Method of the Discovery aim'd at, was improper, were grounded on these Foundations; *viz.*

That

That the *Pension-Bill*, for not Inflicting some Incapacity on the Offenders, when discover'd, was, for that Reason, of *no Use*, and cou'd *mean Nothing* : He says, that all the *Use* that cou'd be made of the Discovery, would be to Erect a New Power in the Commons, to punish the Offenders, that would be Discretionary and Arbitrary : And that the Merit of the Member who Takes, and the Design of the Party who Gives, that Reward, which makes the Grievance, must come before them, in Question.

That such a Judicature would be *Injurious* to the Constitution, because the Incapacity Rests as (he says) upon the Subject : But the Honour and Dignity of the Party Giving, which makes the Grievance, is Saved, and ought never to be Exposed, to the Censure or Judgment of the People, (meaning the House of Commons) : He is pleased to Assert, (and doubtless very truly, in Relation to himself) That he remembers not any Law, that Sets up any Power or Judicature, to Question or Condemn Rewards given, (meaning any Grievance that proceeds from such Rewards) ; and asserts, That such a Power in the Commons, would be absolutely *Inconsistent* with our Constitution. If these Assertions do not strike at the Revolution, and the Principles on which it

it was founded, What can ? The *Leaven* of Doctor *Sacheverell* seems to be Fermenting.

He is pleased also to affirm, That where-ever such a Power is placed, That Power must necessarily draw to it, the Supreme Power : And, that such Powers, whenever they have been assumed by a House of Commons, never ended but in the Ruine of the Crown : And that, once upon a Time, the House of Lords had, by that Method, lost their very Being.

This *Cambridge* Gentleman also asserts, That it ought to be consider'd, when any Law is proposed, not only what is Intended by that Law, but also what *Use* may possibly be made of it, in future Times ; and insinuates, That in the present Case, the Intention was to set up a New Power, or a New kind of Supreme Judicature, *Unknown* to our Constitution ; and from thence infers, that such Bills to Try Experiments, or Grounded upon probable Presumptions, that they will never be Abused, ought never to Pass, because if the Experiment should miscarry, or the Presumption fail, the Evil would be *fatal* to the Constitution, and never be Removed.

This Gentleman also asserts, That the Extent of the Power, that would, by the
Discovery

Discovery aim'd at, accrue to the House of Commons, would be Unlimited, and would Reach every Reward, the Crown could Give, or that any Member, or any Relation of his, could Receive: And that such a New Power, join'd to the Power they Claim to Give or Deny Money; to their Power of Determining Disputed Elections; to their Power of Calling Ministers to Account for Male Administrations, would be Uncontroulable, and might make them think, the House of Lords of no Use; and therefore he Demands this Question; How long could our Ancient Constitution, if such a Discovery were made, Subfist?

These are the Foundations, upon which this *Cambridge* Gentleman says, the suppos'd Prelate's Apprehension of this Independancy of the House of Commons, was Grounded.

In Answer to this Specious Argument, I Object, That the Matters, which this Gentleman Asserts to be, some of them Injurious to, others Inconsistent with, others Unknown to, others Fatal to, the Constitution; without shewing what is that Constitution, are to me, Wild and Inconclusive Notions: If this Gentleman had shew'd a Constitution, which Authorizes Rewards to be Given, to Members of the House of Commons, for Services which could never be Obtained, without

without those Rewards ; then all his Epithets of Injurious, Inconsistent, Unknown and Fatal, would have found in such a Constitution, some Refuge.

As to the *Pension-Bill's* being of no Use or Meaning, the Gentleman is a Stranger to the Laws in Being ; for when the Fact is Discover'd, the Law (and not the House) hath already pass'd the Sentence.

As to the Assertion, That there is no Power any where lodg'd, to make Inquisition for Grievances, occasion'd by Rewards Given, I refer this *Cambridge* Gentleman to the *Britannick* Constitution, now Extant in the Library of that University ; where he may find, That no National Grievance is exempt from Inquisition.

As to Power in the House of Commons, to make Inquisition for Bribed Members, and to make themselves Sound and Free, by Expelling the Poison and Corruption, it is monstrous, to say, that such a necessary Power, will draw to it the Supreme, or any Undue Power, for such a Power is necessary for their Self-preservation.

As to the Aspersions, That a Free House of Commons in *England* did ever Ruine the Crown, or did ever Subvert the Being of the

the House of Lords, I aver those Assertions, to be utter Untruths.

I conclude therefore, that the *Cambridge* Gentleman hath done ill Offices, to the supposed Prelate, to the Crown, and to the People of this Nation; to the supposed Prelate, because he has attempted to clear him, from the Imputation of a Pleader for Bribery and Corruption, but has done it weakly, with such Instruments as have mere empty Sounds, and so has made Bad, Worse: This Gentleman hath done an ill Office to the Crown, by falsely insinuating, as if the Crown would give Rewards; which, if discover'd, no Man would Avow or Defend: Such a Supposition therefore ought never to be imagin'd, or at least not printed. He has done the worst Office to the People, by pleading against their having, so much as a Discovery, of their most dangerous Grievance, and is therefore highly culpable; for Sufferings from a False Brother, hurt more, than Those, from an Open Enemy.

Having advanc'd Arguments in Favour of *Free Parliaments*, I presume a few Suppositions may be added to that Matter, *viz.*

1. It may be presumed, that long Sessions (which for forty Years now last past, have been Annual) have Caused the Mem-

R

bers

bers to spend seven or eight Months every Year in Travelling and Attending the Service of their Country in Parliaments.

2. That, during that long Time of Absence, their Private Affairs must suffer, for want of Care and Attention; and if the Members are Traders or Merchants in the Out Ports, their Busineses must, by their Absence (above others) inevitably suffer Disorders.

3. The Expences of Living so long in *London*, do cause, at the End of a long Sessions, Great Demands; and those may make, even Good Men, Capable of some Impressions.

These being Inconveniencies that are Unavoidable, I presume this Representation will Create a Desire to hear of some Expedient to Remove those Inconveniencies. Now that *Remedy* seems not so difficult as may be imagined; for the single Provision, made in *Cambridgeshire*, may serve as a *Model* for the whole Nation: Which Provision was thus; Some Person (who in Old Times promoted Free Parliaments) Infeoffed or gave to Trustees the Manor of *Burlew*, alias the *Shire* Manor in *Maddingly* near *Cambridge*, consisting of 400 Acres of Land, which were then letten at 10 *l. per Annum*,
(being

(being at that Time the full yearly Value),
In Trust to apply the Profits, towards paying the *Wages* of Knights, Elected, in that Shire, to serve in Parliament.

This being the Case, the Gentlemen and Inhabitants of that County joined in a Petition, and Obtained the Act of Parliament of 34 and 35 *Hen. 8. cap. 24. Anno 1543.* Whereby *John Hinde*, Serjeant at Law, and his Heirs, were made perpetual Tenants, upon Condition to pay 10 *l. per Annum* to a Corporation, therein called *Wardens of the Wages* for Knights of the Shire of *Cambridge*, Chosen for the Parliament; who were to apply the 10 *l. per Annum* for Payment of those *Wages*: In Consideration whereof, the Inhabitants of *Cambridgeshire* were to be for ever Discharged of those *Wages*.

Now if these 400 Acres of Lands yielded, near 200 Years ago, but 10 *l. per Annum*, it may be supposed, they now yield 10 *s. per Acre*, and will make a Fund of 200 *l. per Annum*. But whether such a Fund is apply'd to the true Design, I know not; however, this Old Establishment for Payment of *Wages*, is not only a Full and Clear *Proof*, of that Part of the *Britannic* Constitution, which made Provision for Payment of Wages, to keep Free and Unbyassed the

People's Representatives, but is also a full and strong Motive to the Rest of the Kingdom, to Imitate an Example, so Safe and Commendable : And for that Purpose it may be suggested, That a Fund may be easily raised of 100,000*l. per Annum*, which would be sufficient to pay, each Member, the Wages of 7*l. per Week* Sitting the Parliament, supposing the Session to continue twenty-six Weeks or six Months : And the Shares of Absentees may Sink, and be Apply'd, for Defraying the Travelling Charges, of those, who make Long Journeys, to and from Remote Places, to the Parliament.

One good Way or Means, towards Raising such a Fund, may be to Restrain, by Act of Parliament, all such People, as acquire Overgrown Estates, from Giving them to any Charitable Uses, but only to this Fund, till the same be Completed : And, perhaps, a good Portion towards this Fund may be pared off, from some Exorbitant Charities, that have been given for Purposes, by which only the Strength of the Nation is Impaired ; I presume, fruitful Minds may take Warmth at this Overture, and may soon invent Expedients, sufficient to Compose a Fund to produce and feed such Glorious Plants, as are the Liberties of their Country, and especially Free Parliaments.

For

For if that Rule be true, That when a Man serves his Country, he serves God ; then I may justly say, That no other Voluntary Gifts, to or for any other Purpose, can be so Meritorious.

I think I have no Reason to doubt but that my Intentions in this Essay, and in the *Britannic* Constitution, do appear to be, to Render to the King, the Things that are His, and to the People, (my Countrymen) the Things that are Theirs ; or that the same Spirit of Liberty that incited me to Advise the Demand of the Writ of Summons, to bring this Royal Family to the Crown, did incite me to Write the *Britannic* Constitution, to Defend Them, on the Throne.

But this I am sure of, That these Principles of Government (altho' sarcastically called Popular) are a more sure and strong Foundation, on which the Crown may Raise and Perpetuate its Power, than their Contraries, because these Principles are true, and can never be falsified ; whereas their Contraries, are fallacious, and will prove no stronger, than Reeds : Which when any King Trusts, or Leans upon them, will pierce his Hands.

I come now to finish this Work with this Conclusion, That if the *Pension-Bill*, or any Bill of the like Nature is wanted, to Compleat our *Fundamental Glory* of a Free House of Commons, then I conclude, that His present Majesty, by Favoursing and Passing such an *Amendment*, and consequently by Clearing and Establisshing such a Material Part of our Constitution (in case his Majesty shall, in His Great Wisdom, think it convenient) will Erect, for Himself, a *Monument* of Glory far surpassing *That*, which History has Erected for the *Union* with *Scotland*, because that *Union* did not Strengthen this Part of the Constitution : But the same hath in all Ages fluctuated, without being rightly fixed, in any Reign, or Age, or Time, since its first Formation ; and therefore that King, whoever he shall be, that shall Encourage, and Perfect, such a necessary Explanation, and Amendment, must necessarily Acquire the Glory, of being our Best and most Rever'd King and Governor.

The last Service to Free Parliaments that remains to be done, is, to Vindicate their Antiquity, from the Errors of those Writers, who have injuriously Insinuated, as if our *Glorious Form* of Government by Parliaments

Parliaments was first *Instituted* by the *Goths* and *Vandals*, who when the *Roman Empire* Declin'd, made Eruptions, and Rescued from under the *Roman Tyranny*, the Western Parts of *Europe*, so late as about the 5th Century after *Christ*: Whereas the Proof of the Contrary, cited in Page 110 of the *Britannic Constitution* from *Cæsar's Commentaries*, is an *Evidence* that can admit of no Contradiction, because *Cæsar*, in one Place relates, That the Laws of Government in *Britain* were, in his Time (being 1800 Years ago) not only Ancient, but so Celebrated, that the Gentlemen of *Gaule* (now *France*) went over into *Britain* to Learn and be Instructed; and in another Place, (a) he gives the *British* Parliament the aptest Name in *Latin*, that could be devised, viz. (*Commune Concilium*); his Words are these, *Summa Imperii Belliq; Administrandi, Communi Concilio, permissa est Cassivelano*: In *English* thus, *That the Supreme Executive Power of Government, and of Conducting War and Peace in Britain, is by Act of Parliament, or by the Constitution, Vested in Cassivelano*, (meaning him as King): Which, at the Time of *Cæsar's* Writing, was many Centu-

(a) Lib. v. cap. 5.

ries before the *Goths* and *Vandals* were Distinguish'd by any Reputation, for Government, in *Europe*; and therefore our Parliaments could never be Instituted, by an Unknown People, who, at the Commencement, of our Government had themselves, in Point of Government, no Existence.





A N
A P P E N D I X
O F

*Certain Original PAPERS and LETTERS,
whereto Reference is made in the fore-
going ARGUMENT.*

The First MEMOIR.

August 1712.

N U M B. I.

*A PROPOSITION, humbly offered to the
Illustrious House of Hanover.*



H A T, in regard the Queen
of Great Britain, has solemnly
declared from the Throne, (a)
“ That the Securing the Suc-
“ cession to that House, lies
“ nearest her Heart; and that She has taken
“ Care, that the Person, who pretends to

(a) Her Speech, 6th of July 1712, declaring the Terms of
Peace.

“ Disturb

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“ Disturb it, be Removed out of the
“ *French* Dominions : ” Now, in regard
these Expressions are General ;

Let it be insisted on, at the General Treaty of Peace, on the Part of the House of *Hanover*, “ That the Elector, or one or
“ more of the Princes of that House, may
“ have a House, and a Revenue, assigned
“ them in *England* ; and may have an
“ Attorney-General, and other Officers,
“ assigned them, to take Care of their Affairs, as the First Prince of the Blood. ”

This will try those Ministers, who advised the Queen to make that *Speech*, whether they really meant any thing for the Good of the House of *Hanover*, or not.

If the *British* Plenipotentiaries oppose such a reasonable Article,

The House of *Hanover* may take their Measures.

If it be reasonable to insist, That the *Pretender* should be Removed out of the Dominions of the Enemy :

It is as reasonable to insist, That the *Rightful Successor* should have Room, and be within the Dominions he is Intitled to.

The

The Presence of the next Successor, would Encourage and Inspirit his Friends, and Discourage his Enemies.

Possession, in this Case, is of inestimable Advantage.

The Refusal of such a reasonable Demand, would give the Elector a very good Colour to Complain; and would load his Enemies with Obloquy, as secretly endeavouring to Deprive him.

The Second MEMOIR.

September 1712.

N U M B. II.

THE PROPOSITION, that is to be insisted on, in the General Treaty of Peace, is,
“ That a Prince of the House of *Hanover*
“ may have a House and Revenue, and
“ proper Officers, in *England*.

An Additional Argument, to Enforce that *Proposition*, may be drawn from these Parts of the Queen's *Speech*, wherein she says;

“ The Duke of *Anjou* is to Renounce
“ for Ever the Crown of *France*.

“ That

“ That the Succession to that Crown, is
 “ to be to the Duke of *Berry* ; in the Duke
 “ of *Orleans*, and his Sons, &c.

“ That the Succession of *Spain*, and the
 “ *Indies*, is, after the Duke of *Anjou*, and
 “ his Issue, to go to some other Prince ;
 “ (for Ever excluding the House of
 “ *Bourbon*).

“ That the Nature of this Proposal is
 “ such, that it executes it self.

“ That the Interest of *Spain*, is, to sup-
 “ port it : And in *France*, the Persons, to
 “ whom that Succession is to belong, will
 “ be ready and powerful enough to vin-
 “ dicate their own Right. ”

The Strength of the Hypothesis (if there
 be any in it) takes its Root from this sup-
 posed Circumstance ; That the Persons in
France, to whom the Succession of that
 Crown is to belong, will be ready, that is,
 will be present, on the Spot, and in Posses-
 sion of *France*, and therefore will be power-
 ful enough to vindicate their own Right.

Now, if this be the Opinion of our
 Ministry in *Britain*, in relation to the
 Crown of *France*, to wit, That the Presence
 of

of the next Successor in *France*, will arm him with Power and Readiness to vindicate his Right ; which inherently carries in it this Position, That an Absent Successor would be Unready, and want Power :

Then, How can it be pretended, by our Ministry, That the like Circumstances in *England*, will not have the same Effect ? Presence and Possession, will arm the Successor with Readiness and Power to vindicate his Right : On the contrary, by being Absent, he will be Unready, and his Power Precarious.

If the *British* Ministry oppose the *Proposition*, it will fall within the Compass of the Act of Parliament, which makes it Treason, To Endeavour to Hinder the House of *Hanover*.

It will furnish the Friends of *Hanover* with Matter, to Petition the Queen from all Quarters : The Nobility will begin, and the Commonalty will follow. And,

The Nature of the *Petition* may be, That Her Majesty (who hath not been sparing in Verbal Professions) would please to make as good a Security to the House of *Hanover*, to secure their Succession, as She thinks there is made to the Dukes of
Berry

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Berry and Orleans, in relation to the Succession of the Crown of France: And if Presence and Possession will be so effectual in France, as to Execute it Self; why should not the like easy Provision be made for the Successor in England, that may Execute it Self in like manner?

*An Extract out of the Privy-Counsellor
LEIBNITZ's Letter, Dated Hanover
the 14th of October 1712, to Doctor
BRANDSHAGEN.*

NUMB. III.

I Have Orders from His Electoral Highness, to signify, That due *Thanks* may be given to *R. A.*, for his *well-meant and seasonable Proposition*, which you have sent over: And that the Contents are found very reasonable, and well-grounded; and that *Returns will be made upon it, when Time and Opportunity shall give Leave.* It is very apparent, that the Person, who has written it, understands Things very well; and there will be *always made Acknowledgments*, for the Favour and Kindness of such Persons. *If he should have any more of that Matter to communicate, you may assure him, that it will be always very acceptable.* If I (for my own Particular)
I should

should be able to do him any Service, I would Esteem it for a singular Honour."

Godfrid. Wilhelm. de Leibnitz.

From this Time, Mr. *Acherley* apprehended himself to be *Retained in the Service* of this Illustrious Family, and especially of the Electoral Prince, then called the *Duke of Cambridge*, for whom the Service was to be done: And Mr. *Acherley* depended on the Performance of this and other Promises.

The Third MEMOIR.

20th October 1712.

NUMB. IV.

THE Importance and Reasonableness of the *Proposition*, to have an Article in the General Peace, "That a Prince of the House of *Hanover* may be provided with a House, Revenue, and proper Officers, in *England*," has been argued from these Parts of the Queen's *Speech*:

1. From her Assertion, "That Care is taken, to have an Additional Security, for the Succession in the House of *Hanover*, by the Removal of the *Pretender* out of the *French* Dominions.

2. From

2. From the Offers of *France*, “ To
 “ settle the Succession of her Crown in
 “ the Dukes of *Berry* and *Orleans*, by such
 “ means, as the Queen is pleased to say, is
 “ not Speculative, but Solid, and such as
 “ Executes it Self.

3. From the Influence, “ That Argu-
 “ ments drawn from those Parts of the
 “ *Speech*, must have on the *British* Ministry,
 “ as Arguments *ad Hominem* : Because the
 “ Ministry, either believe those Parts, or,
 “ at least promote and advise ’em.”

It remains, to shew how these Arguments may obviate Opposition from *France*, and her Ministry.

Now, as to Them, it may be argued, That the System of the Proposal was Invented and Framed in *France*.

Her Majesty’s *Speech* says, “ The Apprehension, that *Spain* and the *West-Indies* might be United to *France*, was the chief Inducement to Begin the War.

“ That the Effectual Preventing that Union, was the Principle laid down for the Peace.

“ That

“ That the Difficulty of finding Means,
“ Effectually to Prevent that Union, ap-
“ peared from former Examples, and late
“ Negotiations. ”

France, therefore, being to provide those Means, proposes the Renunciation of the Duke of *Anjou*, and a new Settlement of the *French* Succession in the Dukes of *Berry* and *Orleans*, as a sufficient Expedient for that Purpose ; and offers it with an Air of Sincerity, and in good Earnest : Not as Speculative, or depending on bare Treaties, but as what is Solid ; That Power is at hand, to Execute it ; nay, that its Nature is such, *That it Executes it Self* ; That it divides *France* and *Spain* more effectually than ever.

And *France* builds all this specious Structure, upon this single Supposition ; That in *France*, the Persons, to whom that Succession is to belong, will be Ready and Powerful enough to vindicate their own Right : Which, *ex necessitate*, must accrue, from their being Present, and in Possession of *France*.

Now, if the *French* Succession is the Expedient ;

If that Expedient is urged by *France*, as Effectual ;

If the Strength of the Expedient subsist upon the Readiness and Power of the Successor to Vindicate his Right ;

And if that Readiness and Power is grounded on his being Present, and being in Possession of *France* :

How then can *France*, or her Ministry, oppose the like Expedient, to secure the *British* Succession in the House of *Hanover* ?

It may be demanded of them, to shew, how, or by what Means, the Persons in *France*, to whom that Succession is to belong, will be Ready and Powerful enough to Vindicate their own Right, if it be not, by being Present, and in Possession of *France* : — They must be puzzled to find an Evasion.

France and her Ministry must necessarily fall under this Dilemma : Either they must confess, That the Presence and Possession of the *French* Successor, must arm him with Readiness and Power to Vindicate his own Right ; (and in that Case, they cannot oppose the like Advantage to
the

British Successor :) — Or else they must own, That the *French* Succession is founded in a Chimera, and is designed, only, as a Delusion, to Impose on, and Deceive *Great Britain*, and her Ministry : And in that Case, they must discover, That no Security is provided by this Peace, to prevent the Union of *Spain* and the *West-Indies* to *France*. — The Principle laid down for the Peace must vanish, and the End of the War must appear, not to be accomplished.

In the next Place : If *France* oppose the Proposition, they virtually overthrow that former Article, for Securing the *British* Succession in the House of *Hanover* ; and will expose their Insincerity and Unreasonableness, in Denying, or Opposing that Security to the *British* Succession, which, they pretend, is the only Support of the *French* Succession.

If it shall be Objected by any Potentate ;

1. That the Presence of the next Successor in *England*, would be a Grievance to the Queen ; That it would be, the setting her Coffin before her Eyes :

2. That two Courts would be Inconvenient in one Kingdom :

3. That it is Dishonourable to the Nation, to give Foreign Potentates a Right to Meddle in our Succession, by making 'em Guarantees ;

The Answers are Evident and Plain :

1. As to the Sight of the next Successor ; It is no more, than what must be in *France*, and was in *England*, in the Cases of King *Charles the Second*, and King *William* : For King *Charles* daily saw the Duke of *York* ; and King *William*, the Princess *Anne* ; their Presumptive Successors.

2. As to two Courts in one Kingdom, there can be no more Inconvenience in That, than there was in the Duke of *York's* Court to King *Charles*, or in the Princess *Anne's* Court to King *William* : But, on the contrary, there must accrue great Convenience ; for Experience has shewn, that the Presence of those two Successors, greatly, assured and facilitated their Successions and Accessions to the Throne.

3. As

3. As to Guarantees ; that Objection must vanish, when the very same Thing is Proposed and Agreed to, both by *France* and *Great Britain*, in relation to the *French* and *Spanish* Successions ; as appears, in express Words, by the *Queen's Speech* : Why, therefore, should not the *British* Succession have as good Guarantees, as the *French* and *Spanish* ? What Colour of Reason can be given to the contrary ?

Copy of a Letter from R. Acherley, to His Highness the Elector of Brunswick.

London, 20th of October 1712.

N U M B. V.

May it please your Highness,

HIS Excellency, Monsieur *Leibnitz*, was pleased to intimate to Doctor *Justus Brandshagen*, the Acceptance of my Two Papers. My Third and Last Argument on that Head (transmitted by the Doctor) now attends your Highness : I hope 'twill not be found Impertinent.

But there's one Circumstance seems, yet, necessary to accompany the *Proposition* ;

without which, the Whole will proceed but indifferently. I adventure to mention it to Your Highness only : It is, That the Princess *Sophia* be prevailed with, to offer, at the same time, to Demise or Surrender to your Highness, to make you the Immediate Successor. That View, would give the *Proposition* Strength, and infuse Vigour into your Friends : Whereas, the whole Matter will be mixed with Weakness and Coldness, so long as your Friends can only value themselves on the Presence of a Princess so far advanced in Years, tho', otherwise, perfectly well accomplished. It seems apparent now, that your Highness's Succession must be attended with Struggles : What else can be the Meaning, of Strengthening *France*, your implacable Popish Enemy ; and Weakening *Holland*, your fast Protestant Friend ? What else can be the Meaning, of Employing or Conniving at profligate Scribblers, ironically, to Debate the Succession (*More ludicro*), giving the Advantage of the Argument to the *Pretender* ? What else mean those Audacious Menaces, that are daily scattered ? Not to mention numerous other smaller Circumstances, which, by Little and Little, will Undermine the very Foundation. The Principle, therefore, in the Contention, ought not to want any of Your Highness's Advantageous Qualifications.

Your

Your Friends are, at present, by far, the major Part: But the Want of a Head, to Countenance them, gives Advantage to the Adverse Party. Your Highness's bare Presence, amongst your Friends, will be a Terror to Traitors.

I humbly entreat your Highness's Excuse, for my Plainness, and Want of due Forms; And that it may be believed, that I am, with profound Respect,

Your Highness's

Faithful Servant at Present,

and Subject in Expectance,

R. Acherley.

I humbly ask the Concealment of my Name, as well from Friends as Enemies.

Extract out of Baron Bothmer's Letter from the Hague, November the 8th, 1712, to the Doctor.

N U M B. VI,

TH E late Writings, you have sent me, of that Known Friend, I shall *not fail* to communicate them to the due Place: His

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Arguments are *Solid*, and *very well Digested*, and he is *Right in All*: But the Question is, *How this Case can be brought into the Treaty of Peace?* That *Desire*, and the *Proposition*, *should be done* by the Court of *Great Britain*, and *her Ministers*; and if such can be expected, at present, I leave Others to judge: Yet this diminishes nothing the Obligation, which is due to that Known Friend, for his good Affection; *which, I pray you to assure him, I will acknowledge, on all Occasions.*

R. Acherley's *Answer to Baron Bothmer's Questions.*

14th Nov. 1712.

N U M B. VII.

TH E S E *Questions* being demanded, How the Proposition can be brought into the Treaty of Peace? And, Whether it is not most proper to Proceed from *Great Britain*, and *her Ministers*? And, Whether any such a Thing can be expected at this Time from them?

My Answers are;

The very Reason of my making the Proposition, and urging it to be insisted on by
His

His Electoral Highness's Ministers, in Concert with the Allies, was, Because it is never to be expected from These *British* Ministers; therefore it must be done by the Way, I propose, or some other Way.

The Manner how it may be done, seems to be plain :

The Queen her self, and her Ministry, have judged the Succession so material, that we are told from the Throne, That there is to be an Article in the *Peace*, to Secure it : It is (as the *Speech* says) to be acknowledged in the strongest Terms; and there is to be an Additional Security, by Removing the Person, who pretends to Disturb it, out of the *French* Dominions.

Is it not, therefore, the most natural and homogeneous Thing in the World, for the House of *Hanover* to insist on having an Explanation and an Enlargement of that Article, to meliorate the Security? The House of *Hanover* are not to introduce into the *Peace*, a new Article in their Favour : *Great Britain* has done That ready to their Hands; but the Article is defective.

For what signifies Acknowledgments, in the strongest Terms? Have not we seen
them

them Disown'd at Pleasure, in the Case of King *William*?

What signifies the Removal of the *Pretender*, a League out of the *French* Dominions, when there's no Article not to Assist him; when there's a Guarantee offered for the *French* Succession, but none for the *British* Succession?

The House of *Hanover* therefore, have a Right to Insist on an Amendment of this Article, by adding to it the Proposition.

The Necessity of doing something of this kind, grows every Day more flagrant: For the *Pretender's* Interest grows up so fast, that he will, in a short time, (being Supported by *France*) Dispute his Title, both by Arguments and Arms: It is the *Shibboleth* of the *Pretender's* Party—*Down with the Dutch*.—His Picture is every where publickly Exposed to Sale, even in *Westminster-Hall*.

An Extract out of Baron Bothmer's Letter from the Hague, Decemb. 16, 1712. to the Doctor.

NUMB. VIII.

YOUR Letter of the $\frac{14}{23}$ th of November I have receiv'd, together with the Inclos'd from that known Friend, and have not been wanting

wanting to *communicate* the same at the Due Place, *where the Kindness is highly Esteem'd*, (meaning by the Electoral Prince then Duke of Cambridge) ; which there appeared in his Judicious Arguments in that good Cause.

Extract out of Monsieur Leibnitz's Letter from Vienna, Decemb. the 7th, 1712, to the Doctor.

N U M B. IX.

I HAVE receiv'd your Acceptable Letter, which follow'd me to *Vienna*, where I got Orders immediately to Repair from *Berlin* : *I have sent the Letter and Paper to his Electoral Highness*, and the others ; and I doubt not but the Letter of that Good Friend will come to his Electoral Highness's Hand, and that his very sensible Memoir will Duly, and according to his good Merit, be Esteem'd : And therefore you may very well assure the *Sieur*, the Author thereof, *That there is made no small Consideration by us for his Zeal and very Reasonable Thoughts.* As to the Matter itself, the *British* Ministry, (if it be pressed to Establish and settle Fast the Succession by the Presence of the Successor) will Recoil upon the former Ministry and the Parties at that Time ; as the Earl of *Rocheſter's*, Lord *Haverſham's*, and
others

others Proposition, which tended the same Way, and were Openly Rejected ; and that Sir Rowland Gwin's Letter (notwithstanding it was Guided by a Letter from her Electoral Highness) was forbidden, and censured : And I have, since that Time, let the Bishop of *Salisbury* and others know, that, in my Opinion, they might Repent one time or other to have made this Step.

And whereas there is in the Memoir, That it would be High Treason to Oppose the Establishment ; then the present Ministry will say, that the whole Parliament did the same.

And what is said in the Second Part of the Memoir, or N^o 3. That *France* in the *Articulæ Stabilimenti Successionis Britannicæ*, cannot, with Reason, Oppose, &c. This is in all Things right well, but it is not the Question ; for *France*, in this Matter, will not so soon meddle itself, but will put it all upon the *British* Ministry : And if the Queen and Parliament have no more Care for the Security and real Establishment of the Succession than hitherto they have had, all the Propositions to *Utrecht* will help nothing, and will serve only for a Pretext to make believe, that we despise the Nation, and will press thro' by the Help of Strangers.

It

It was therefore to be wish'd, that such like Laudable and Right Patriotick *Consilia* might come in Consideration in the next Session of Parliament.

In my Absence, it will be good to inform the Baron *Bothmer* of all, and communicate the Memoir of the Author also unto him: And whereas the Baron *Grote*, Son to the former President of Chamber (which now really is Install'd a Privy Counsellor of Estate with us) soon will be in *England*, if he is not already arriv'd there; M. *Brandshagen* would do well to address himself also, to make the Author of the *Memoir* acquainted with him, if the said Author think it convenient.

A Letter delivered by Mr. Goddecken, Secretary to Mons. Kryneberg, to R. Acherley, as from his Electoral Highness.

[The Original is in Mr. A's Hands.]

Jan. $1\frac{3}{2}$, 17 $\frac{1}{3}$.

N U M B. X.

SIR,

THE Elector hath received your Letter of the 20th of *October*, which hath been sent back to him by Mr. *Leibnitz* from

from *Vienna*, where he is at present. Your Name shall be conceal'd with all Care. The Elector doth not think your Proposal about the Electress his Mother to be Seasonable, especially during this present Parliament. His Electoral Highness hath had your three *Memoirs* laid before him, and Orders me to Return his Thanks to you for such Marks of your Zeal ; and to tell you, that Baron Grote (who is now at *London*) hath seen those *Memoirs* before his Departure from hence ; and that you are desired to apply to him in time to come, as often as you have any thing worthy to be sent to the Elector.— The said Baron will tell you the Reasons, why *Utrecht* is not thought to be the proper Place to propose such wholsome Measures, as are contained in your said *Memoirs*.
I am,

S I R,

*Your most Obedient**Humble Servant,*

T. R.

[This was Monsieur Robethon.]

An

An Extract out of Monsieur Leibnitz's Letter to Mr. B. the Doctor. Dated at Vienna May the 6th, 1713.

NUMB. XI.

AFTER they let Sink their Hands in Holland, our Court was forc'd to let it Go, as it is Gone; yet it is hoped, that on all Sides, they have not Run too much, and that *Holland* will have a watchful Eye. It was not in the Power of the Court of *Hannover* to stop the Torrent, that broke thro' in *Holland*; but it may, perhaps, soon run away, and the Minds in *England* may also come to other Thoughts. The Death of Baron *Grote* was a Misfortune to the Good Cause; but I hope there will soon come a Brave Man in his Place, that will give a Helping-hand to all the Well-minded.

Note, The Correspondence ceased until September 1713. In which Month Mr. *Leibnitz* wrote to Mr. *Brandshagen*, intimating, That he was sorry that Mr. *R. A.* had Ceased his Correspondence.

He suggested, That the House of *Hannover* were in great Doubt touching their Succession; and that a Cloud was come over it, thro' which they could not see.

He

He therefore desired to know, whether Mr. *Acherley* could think of any other Means, that would be Effectual to Introduce a Prince of that House into *England*.

Mr. *Acherley* thereupon conceived, That the Writ of Summons, for the Duke of *Cambridge*, would be Effectual.

But to make the Thing Intelligible to Those Beyond-Seas, he thought himself obliged to Explain the whole Matter of it, in such a Manner, as he has done in the Letter following.

This he thought the more necessary, because, by all the Letters from Mr. *Leibnitz* and Baron *Bothmer*, he observ'd, they did not rightly apprehend the Design and Inclinations of the Ministers, or of the new Parliament.

For they seem'd to think, that nothing could be done, unless it first moved from the *Queen or Her Ministers*, or Her Parliament; than which nothing could be more Remote, or less Expected.

Copy

Copy of a Letter from R. Acherley to Monsieur Leibnitz, at Vienna.

London, Octob. 20. 1713.

NUMB. XII.

SIR,

THE Introduction of a Prince, of our most Illustrious House of *Hanover*, (interested in the Succession) with Honour into this Kingdom, being my Principal Aim, I have waited the Completion of the Elections of a new House of Commons, hoping, that the Ferment the Trading Part of the Nation, is in, on Account of Giving up our Trade to *France*, would have produc'd a Majority of Hearty Friends; but the Influence of Money, issued from a Place, not to be named, has so corrupted the People, that they continue Stupid.

A Tree is known by its Fruits. If you depend on fickle Protections, Disappointment must ensue; For what Greater Contradiction can be given to their Protections, than to see *Papists* and *Nonjurors* so Elevated, as they are by publick Insinuations made in Print, and otherwise, of the *Pretender's* Right, and of his Conversion to the *Protestant* Religion; and not only so, but as if that Conversion were procured or effected by Ministers, employ'd by a Great

T

Lady:

Lady : And all this done not only with Impunity, but as it were Encouraged : I say, these are the Fruits, which Denote the Tree ; our Aggrandizing the *Power of France*, and Rejoycing at her Beating Down and Trampling on the *Germanic Liberties*, and consequently his Electoral Highness's Friends, is an Undeniable Evidence of what Design lies Covered : No-body can be so blind as not to see, that the *French King*, after he has finished his Measures in *Germany*, may, by Drawing Down his Forces to his Frontiers next *England*, and by the Assistance of his Friends here, Impose on us, what Laws, and what Successor he pleases.

From these and many other Things, which daily happen, I infer, that there is an *Absolute Necessity*, for the House of *Hannover*, to make some Effort, to Introduce here, some One of that Serene Family, Interested in the Succession.

I humbly intimate my Opinion, as to the Manner of doing it, and the Plan, upon which it should be propos'd.

1. As to the Person, I humbly conceive, it cannot, at present, be the Princess *Sophia*, because, notwithstanding the Shining Virtues of that High-born Lady, her far
Advance-

Advancement in Years, will give the Advantage of saying, that her Coming is needless ; For what Expectation can an Ancient Lady have to succeed, or survive a Person so Young as our Queen ?

2. With the Greatest Respect and Submission, I most humbly propose, that it cannot be, at present, his Electoral Highness, because every Disaffected Person will be ready enough to say, That such a Motion must mean something more than a peaceable Correspondence, in regard his Highness, at this Juncture, has Engagements enough at Home to take Care of his own Dominions.

3. It must therefore be the Electoral Prince, his Highness the Duke of *Cambridge*, because he is a Duke and Peer of *Great Britain*, and has therefore a *Right to Sit in Parliament*, and to Advise and Promote what Methods may appear Effectual, to Secure the Rightful Succession to the Crown, in his Family. His Precedency is already settled by Act of Parliament, viz. To take Place of all, as a Prince of the Blood.

4. As to the Manner of the Attempt, I humbly propose, That the best Way will be to *Demand* of the Queen, by a Memorial or Petition, that his *Writ of Summons*

and a proper Messenger be sent to Call his Highness, the Duke of *Cambridge*, to come and take his Place in Parliament as a Peer, and as one of the Princes of the *Blood of Great Britain*.

5. That the Best and most Seasonable Time of presenting such a Petition will be in a few Days, after the Queen has made her Speech, at the Opening of the next Parliament : Which appears from this *Dilemma* ; If she speaks Kindly and Affectionately of that House, the Ministry will have the greater Difficulty, to find a Colour to *Deny* so reasonable a Demand, without downright Contradicting Her Majesty's Speech : If She says *Nothing* of the Succession in the House of *Hanover*, then the Demand may Appear more *Necessary*, because, in that Case, it will be pretty plain, that the Succession in the House of *Hanover* is slighted, at least.

6.. This Memorial or Petition would appear so Reasonable and Popular, that none, but the most Malicious Enemy, could Oppose it, or so much as pretend it to be Needless or *Unnecessary* : For who can Deny, That the Duke is a Peer of *Great Britain* ? Who can Deny his *Right to Sit* in Parliament ? Who can Deny the *Weight* of his Concern to Propose, Debate, and Promote
whatever

whatever may be reasonable and necessary, to secure the Succession to the Crown, in his Family, and to complain of whatever may be done, or omitted to the Weakening and Prejudice of it : It would carry in it a Face and an Air, not of Asking a Favour, *but Demanding a Right.*

SIR,

Some Parts of this may probably sound Harsh, and therefore I entreat you to Mol-
lify them in Favour of

Yours, &c.

R. A.

*A Copy of Monsieur Leibnitz's Letter to
R. A. Dated Jan. 13. O. S. 1713.*

MONSIEUR,

J'AY toujours trouvé vos pensées tres solides, & ceux avec qui j'en ay communiqué, en ont fait le même Jugement.

Mon Absence ne m'a point permis d'aller à la Source, comme j'aurois fait, sans cela, pour les faire valoir comme il faut ; mais je tacheray de le faire mieux a mon Retour.

J'ecris maintenant a M. le Baron de *Schutz*, pour luy dire, Monsieur, que j'ay reçu quelques fois des Remarques de votre part, sur les quelles mon Seigneur l'Electeur & Messieurs les Ministres ont temoigne leur Agrément ; & que je souhaite qu'il ait l'avantage de connoître en vous une Personne qui à egalemt du Jugement, & de la bonne Intention ; Ainsi je crois que vous l'obligerés, Monsieur, en luy rendant visite, & en entrant avec luy dans une connoissance plus particuliere.

J'ay parlé icy avec des Personnes bien informées, d'ont quelques-vous ont été depuis peu à *Barleduc* en *Lorraine*, qui m'assurent, tous unanimement avec beaucoup de Circonstances, qu'on n'y voit point la moindre marque que le Chevalier d'*S. George* soit porté a changer de Religion, mais plutôt tout
le

IN ENGLISH.

SIR,

I Have always found your Thoughts very Solid, and so have Those to whom I have communicated them.

My Absence has not permitted me to go to the Source, as I should have done, to make them have their due Force ; but I'll endeavour to do it better at my Return.

I write now to Monsieur the Baron de Schutz, to let him know, Sir, that I have sometimes receiv'd Observations from you, of which my Lord the Elector and his Ministers have express'd their Good Liking ; and that I am desirous, he should have the Benefit to know in you a Person, who hath both, Judgment, and good Intention ; Therefore I believe, Sir, you will oblige him in making him a Visit, and entring into a more particular Friendship with him.

I have discoursed with some Persons here well acquainted, some of whom have been lately at Barleduc in Lorraine, who assure me unanimously, with many Circumstances, that there cannot be discerned the least Sign, that the Chevalier de St. George is inclined to change his Religion, but rather the contrary :

le contraire, je crois en effect, que tant que vivra le present Roy de *France* & la Reigne *Marie* Douairiere d'*Angleterre* il ne le fera point ; mais je ne sçay ce qu'il purroit faire dans la suite. On me dit qu'il a quelque-chose de la *Phyfiogmonie* d'*Charles I.* qui n'est pas heureuse.

Il semble, qu'il espere d'etre établi en *Angleterre* par les Forces de la *France* en temps de Paix ; car elle est toujourns suffisamment armée, pendant que les autres sont desarmés & des-unis.

Je ne crois pas que vos Trainbands soyent en assés bon état pour en attendre une grande Resistance : Quinze Mille Hommes sont capables de se rendre Maîtres de *Londres*, & puis de toute l'*Angleterre*.

Un Prince de la Maison d'*Hanover* y seroit necessaire ; mais un Etablissement & un Agrement de la Reigne semblent estre requis pour cela, pour faire la chose avec Dignité & Sureté.

Si la Motion ne vient pas de la Cour, il faudroit qu'elle vint du Parlement. Je crois qu'elle pourroit aller en Termes generaux a un Etablissement qui mist le Successeur Protestant en etat de subsister honnorablement en *Angleterre*, & d'y avoir sa Maison, Cour, & Officiers.

Je suis bien assure qu'on ne chercheroient point en cela une utilité particuliere chez-nous.

Indeed I believe he will not do it, whilst the present King of France and Mary the Queen Dowager live ; but what he may do afterwards I cannot say. They tell me, he has something of the Physiognomy of King Charles the First, which is not Fortunate.

It seems he hopes to be Establish'd in England by the Forces of France, in Time of Peace ; for she is always sufficiently Armed, whilst others are Disarmed and Disunited.

I don't believe your Train'd-bands are in so good a Condition, as to hope they can make any great Resistance : Fifteen thousand Men are capable to make themselves Masters of London, and afterwards of all England.

A Prince of the House of Hanover there (meaning in England) would be necessary ; but an Establishment and a Consent of the Queen seem to be requisite, in order to do the Thing with Dignity and Safety.

If the Motion comes not from the Court, it would be fit it should come from the Parliament. I think it might be moved, in General Terms, to have a Settlement which should put the Protestant Successor in a Condition to subsist, honourably, in England, and to have a House, a Court, and Officers.

I am very sure, that we should not seek any particular Advantage in this Matter here.

In

Avec cela on pourroit desirer que le Prince Electoral allat de temps en temps en *Angleterre* : Mais si la Prevalence des mal Intentionnes permettra au Parlement de venir à de telles Resolutions, il est à ceux qui sont presens d'enjuger.

Il court un bruit, comme si la Cour tachoit de regagner quelques Whigs d'importance ; & même comme si les choses se pourroient changer en mieux ; mais j'ay de la peine à le croire.

Il depend beaucoup de la Paix, qui se traite entre l'*Empire* & la *France* : Si cette Paix se fait desavantageuse pour l'*Empire*, les Affaires encore en *Angleterre* iront de mal en pis ; mais jusqu' icy l'*Empereur* a tenu ferme.

On apprendra, en peu de jours, à quoy les Conferences de *Rastadt* aboutiront. Je suis avec Zele,

MONSIEUR,

Votre tres humble &

tres obeissant Serviteur,

LEIBNITZ.

Vienne, ce 13 de Janvier

1714, S. N.

[This was 13 Jan. 1713, O. S.]

certain Original Papers, &c. 283

In this Manner, one might desire that the Prince Electoral might go, from time to time, into England : But, whether the Prevalence of the Disaffected Party will permit the Parliament to come to such Resolutions, belongs to them that are present, to judge.

There runs a Report, as if the Court was endeavouring to gain over some Whigs of Importance ; and also, that Matters were like to Change for the Better : But I can hardly believe it.

It depends very much upon the Peace, which is Treating between the Empire and France : If this Peace be made Disadvantageous to the Empire, the Affairs in England will grow worse and worse ; but, as yet, the Emperor has stood firm.

We shall learn, in a few Days, how the Conferences at Rastadt are like to End. I am, with Zeal,

S I R,

Your most humble and

most obedient Servant,

LEIBNITZ.

Vienna, this 13th of

January 1714.

[This being New Stile, it was the 2d of January 17 $\frac{13}{14}$, Old Stile.]

N. B. Monsieur Leibnitz being at Vienna, it was too far out of the Way, to write to him a Letter of such Haste and Importance as the next Letter was.

Copy

*Copy of the Petition, inclosed and sent to
Baron Bothmer, in the next Letter,
dated the 9th of March 17 $\frac{1}{4}$.*

To the QUEEN's Most Excellent Majesty :

*The Humble Petition of GEORGE AUGUSTUS
Duke of Cambridge,*

Sheweth,

THAT Your Majesty having, of your
great Goodness, created Your Peti-
tioner, a Duke and Peer of *Great Britain* :
And it being the Constitution, --- That
every Peer hath a Right and Privilege to
Sit and Vote in Parliament ;

*Your Petitioner, therefore, humbly prays
Your Majesty, to grant him his Writ
of Summons, to Call him to Sit and
Vote in the present Parliament.*

*Copy of a Letter from R. A. to Baron
Bothmer, at the Hague.*

March the 9th, 17 $\frac{1}{4}$.

A Letter, I receiv'd from *Monf. Leibnitz*
at *Vienna*, intimates, that he receiv'd
mine of the 20th of *October* 1713, and had
com-

communicated it to the Court of *Hanover*, where my Thoughts of the Method and Time of Introducing, Here, His Highness the Duke of *Cambridge*, are Approved. The only Objection *Monf. Leibnitz* makes, is, That before his Coming, there ought to be some Certainty of an Honourable Reception ; and of a Revenue, suitable to his Dignity ; of proper Officers, Security, &c. At the writing my Letter, I was under much Despondency, fearing the *Pretender's* Faction were grown strong enough to attempt Enervating the *Succession* in this Parliament : But the Queen's Illness caused a very comfortable Discovery, that That Faction were Inconsiderable, and might have been push'd down with a Feather : This Terrify'd 'em, and has produc'd a *Speech* from the Throne, of superlative Ironies ; and *Addresses* of both Houses, suitable thereto : I believe, they were all Contriv'd and Penn'd by the same Hand. Yet, notwithstanding their Extraordinary Nature, one may collect, First, That the Ministry and the Pretender's Faction were in a great *Consternation*. Secondly, *They dare not, at present, attempt* the Weakening the Succession, by any Act of Parliament. Thirdly, That They will, nevertheless, Speak Big. How far those *Bold and Daring* Words and Menaces are built upon the *French Power at Hand*, to Support

port and *Execute 'em*, I cannot, at present, tell : But, in Answer to Monf. *Leibnitz's* Difficulties, I do humbly represent ;

1. That from the Completion of the House of Commons, so far as it hitherto appears, there can be no Encouragement taken to adventure a *Motion to Invite* the Duke of *Cambridge* ; and if such Motion were attempted, my Lord *Tr---r's* Band of Pensioners in the House, supported by the Queen's *Speech*, would elude it : And from the Lords, there can be no Hopes.

2. That it is of the utmost Importance, that the House of *Hanover* should *Push* our Ministry so far, as to *Unmask* 'em.

3. This Forcing the Ministry, may be easily done, by *Demanding a Right* ; because it would be too difficult to deny a *Right* : I mean, by this *Right*, that the Duke of *Cambridge* should, by *such a Petition as is inclosed*, petition the Queen, for his *Writ of Summons* to Sit in this present Parliament. This would be too difficult to Deny : Such a Petition, wou'd be, like a *Wedge driven* between the Face and the Mask. And there can be no Danger of the Success : Because a Denial (*being a Denial of Right*) would involve all the Peers of *Great Britain* in the same Case :

For

For if the Duke of Cambridge be *Denied*,
any other Peer might be *Denied*. I am,

Your's, &c. R. A.

Mr. Acherley's Letter to Baron Bothmer.

March 19th, 17 $\frac{13}{14}$.

N U M B. XVI.

S I R,

MY Inference, That the *Pretender's*
Faction durst not, at present, attempt
the *Weakening* the Succession in the House
of Hanover, by any *Act* of Parliament, is
already Falsified: For they have laid the
Axe to the Root of the Tree, by Moving,
to bring in a Bill, To Prevent the Intro-
ducing any Foreign Troops into this King-
dom. This Motion is directly levell'd at
His Highness the Elector of *Hanover*, to
Disable his Landing Here with *Dutch*, or
even with his own Troops. The *Pretender's*
Faction are positive, that this Point will be
Carried in their Favour. This I take to be
an Attack in Form; and suitable to it,
they hasten to put the Army and Fleet into
the Hands of *Notorious Jacobites*: *All the*
Military Friends of the *Hanover* Succession
are to be *Turn'd-out*: *Necessity*, therefore, re-
quires the Duke of *Cambridge* to Hasten his
Petition and Journey; that (before Things
go

go to Extremity) He may stop this Progress against his Interest: *Nothing but his Presence can do it*: He may depend, that the Pretender's Party will steadily pursue their Design: He (the Duke of Cambridge) has now an Opportunity to Prevent and Frustrate 'em; but Time may soon come, that his Landing may be Difficult, if not Impracticable: *His chief Friends, (being Scattered, Disunited, and without a Head)* will certainly be *Manacled*.

If you think it proper, be pleased to communicate this to the due Place.
I am,

Your most Obedient Servant,

R. A.

R. Acherley's *Letter to Baron Bothmer.*

April the 2d, 1714.

IN my Letters of the 9th and 19th of *March* last, I was very Importunate for His Highness the Duke of Cambridge's Petitioning for his *Writ*, to be Called to *Sit and Vote* in this present Parliament. I entreat to be pardoned for my Apprehension, That if He *lays not Hold on this Opportunity*, to come into this present Parliament, the House of *Hanover* may
Bid

Bid Adieu to the Crown of Great Britain : The *Hanoverian* Friends (for Want of a Head) are fallen almost into Despair ; tho' They are the Majority of the People, yet that will not avail, against the Ruling Power.

If our *Illustrious House* (that has, at present, such a Number of Friends) will not *lay Hold* of such a Practicable Effort, but will stand Neuter and Unconcern'd, their Friends must *Sink and Submit*, in regard they see their own Strength Diminish, and their Enemy's Power, Strengthen, daily : Nothing but His Highness's Presence, can Turn or Stay the Tide. — How obvious must these Observations be, That, in any of the Queen's Illnesses, (which now happen frequently) the Disaffected Party may contrive to have the *Pretender Here Incognito* ; and, upon the Queen's Death, (which, no doubt, they will not want Inclination to hasten) how easy may it be, for the Faction, to *Seize the Hanoverian* Justices, and Imprison or Murder them, *and proclaim the Pretender* ? I say, How Easy may this be done, after they have wrested the Military Power out of the Hands of our Friends, and put it into the Hands of our Enemies ?

And, in the mean time, there is Reason to be jealous, lest they should prevail with

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the Queen's Easy Temper (even in her Life-time) by an *Abdication*, to make Room for the *Pretender*.

These Things are not more *improbable*, or more *inconsistent* with common Sense or Reason, nor more directly contrary to Self-Interest, or the Interest of our Country, than what we have seen within four Years. Be pleased to secure me an Excuse, for the honest Plainness of,

Your most Humble Servant,

R. A.

If you think it not improper, be pleased to communicate this to the proper Place.

Note, Baron *Schutz*, by the Order of the Electoral Prince, (then Duke of *Cambridge*) demanded of the Lord Chancellor *Harcourt*, a Writ of Summons for His Highness, on *Monday* the $\frac{12th}{23d}$ } of *April* 1714. } O. S.
N. S.

Memorand' That it was confidently whisper'd, That, upon this Critical Juncture, the Whig Directors of the *Bank of England*, privately, resolved to raise, for His Highness the Duke, when he arrived, a Revenue of
40,000 l.

certain Original Papers, &c. 291

40,000 *l.* per *Ann.* to support his Dignity and Grandeur, as a Prince of the Blood.

A Letter from Mrs. Eliz. Brandshagen, to Mr. Acherley, on the 17th of April 1714, in her Father's Absence, (the Doctor being then in Cumberland).

In which Letter are contained Extracts of two Letters from Baron Bothmer, to the said Mrs. Brandshagen.

Extract of the First Letter.

I Received your's, with the Inclosed, (meaning the Letter of the 9th of *March*, and the *Petition*) of Mr. *R. A.*, and I thank you for it; and I desire you, Madam, that you wou'd go to the said Gentleman, and tell him, how sensible I am of his Pains and Sincerity for our *Illustrious House*; and that I wou'd have writ my self to him, but that I am not Learned enough in the *English* Tongue, and know he understands not *French*; but as soon as I have any Thing to communicate, I shall send it to your Father (the Doctor) to desire the Translation; mean while, I desire, he would continue his good Affection and Zeal for our *Illustrious House*: I have communicated his honest Intentions to the proper

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Persons ; (meaning Mr. Acherley's Letter of the 9th of *March 17 $\frac{13}{14}$*) : Pray, also, give my most humble Service to him ; and if he has any more Thoughts, pray send me his Letters.

Haag the 27 (16)
March 17 $\frac{13}{14}$.

Extract of the Second Letter.

I Received Your's to Day, with the Inclosed to the Countess of *Buckenburg*, which I took Care to send away by this Post ; as also communicated the *Inclosed Contents* of Mr. R. A. to the respective Place ; (meaning, Mr. Acherley's said two Letters, the one of the 19th of *March 17 $\frac{13}{14}$* , and the other of the 2d of *April 1714*) ; and, pray, make my Excuse once more to him, and that I ask his Pardon, for not Writing, by reason of my not being well versed in the *English Tongue* : But, pray, assure him from me, That his Zeal for our *Illustrious House*, is well Accepted, and highly Valued ; and doubt not, but he will soon hear Something, That his Advice will, in a great Measure, be followed ; and wish he may still Go on in his good Intention.

Haag the 24 (13)
of April 1714.

Mrs. Eliz.

Mrs. Eliz. Brandshagen's Letter is as follows.

SIR,

I Designed waiting on you To-morrow, but that, an Hour before your Man came, I received this last from Monsieur *Bothmer* : I had come this Evening, but that I took some Medicines this Morning. I hope, Sir, that *my Lord Bothmer's last here, will give you Content.* I took Care to carry Your's last Night, to send away ; (meaning, Mr. *Acherley's* Letter to Baron *Bothmer*, of the 15th of *April 1714*) : But the Resident (meaning Mr. *Kryneberg*) was so embarrassed with Company, about this grand Affair, that he could get no Time to write one Letter Yesterday (meaning *Friday* the 16th of *April 1714.*) himself ; but I had it sent safe in Monf. *Schutz's* Pacquet.

All the News I hear, as yet, is, That His Highness will be Here about the 26th, if nothing extraordinary prevents him. I hope, about *Monday*, I shall know more certainly ; by reason, one cannot speak in Particular, for the great Concourse of People, which resorts to the Resident ; but To-morrow, I design to go, presently after Dinner, and know more.

Most of the other Party give out, That the Duke will not Come ; and, That Lord *Paget* is to Prevent it : But the Parliament has been Hot at it last Night very late ; the Particulars I have not, as yet, heard :

But some are most certain, *that my Lord Ox.* will lose his Place : The Queen sate in the last Council very late, and sate as Cheerful as ever, until One o' Clock in the Morning. I am,

S I R,

Your most Humble

and Obliged Servant,

Eliz. B.

R. Acherley's Letter to Baron Bothmer.

London, April the $\frac{15}{20}$ th, 1714.

THE Joy of this City is so Universal, on Account of the Duke of *Cambridge's* Demanding his Writ of Summons, to be Called to Sit in Parliament, that there's no doubt, but the Crown will be secure to the Elector, after the Queen's Death ; in Case the Duke will hold fast the Opportunity, Providence has now put
into

into his Hands : The Change of Affairs, for the Better, is Unaccountable. — The Cause of my Troubling you with this, is a Rumour Here, That several Letters, or Messages, are already sent, to stop the Duke's Coming ; as if the same were sent by the Queen. It cannot be believed, that Her Majesty (after the Writ of Summons was granted, by her Consent, under the Great Seal of *Great Britain*) should send any such private Message. — However, my Opinion is, That the Duke ought to be steady, and pursue his Journey, and come directly for *London*, and not regard any such private Messages, or Letters, that his Enemies might, possibly, have procured. Let the Duke appear in Parliament ; and those his Enemies dare not appear, to own or avow any such clandestine Messages, or Letters.

If the Duke will be intimidated, and not pursue his Journey, these Things will follow : His Friends (being, as it were, deserted) will be exposed to the Rage of the *Pretender's* Faction : And worse will be their Case, for having shewn so much Joy ; his Enemies will gain Time to frustrate and defeat the Advantage of this glorious Opportunity ; his Enemies will laugh at, and ridicule, this demanding of the Writ of Summons ; and will be ready

enough to say, He was Called and Summoned, and what hinder'd him from Coming? The like Demand can never be made again with Honour.

Our Patriots already declare, They will, upon his Coming, give him a Revenue of 40,000 *l.* or 50,000 *l.* *per Ann.*

I humbly Propose, That He will please to come by Sea into the Mouth of the *Thames*, and so come privately in a Barge up that River, and land at the Duke of *Somerset's* House near *Whitehall*, to avoid Ostentation and Tumults. — I wish He wou'd please to give special Orders, That All, about him do call him by the Name of the Duke of *Cambridge* only, and by no other Name: If he is called by any other Name, his Enemies will take the Advantage of calling him a Foreigner. I hope nothing will divert his speedy Journey: Every Day of Delay, will give his Enemies, what they want, (that is) Time, to form and ripen Designs, to Disappoint him. I entreat my Name may be yet secret. I am,

Your most humble Servant,

R. A.

Letter

*Letter from R. Acherley to Baron
Bothmer.*

April 18. 1714.

THE Duke of *Cambridge's* Demanding a Writ of Summons to Parliament was a Thunderbolt to the *Pretender's* Faction: There was no avoiding the Blow: It exceeds my Skill to describe their Confusion; but now they begin to Revive. This has put me upon imagining, what should be the Cause of their Recovery. My Conjectures are, They hope to render the Stroak Ineffectual, by having procured some Letter from the Queen to the Court of *Hanover*, requesting a short Delay of the Duke's Journey; and signifying, That she will send after it a Noble Envoy, to Deliver her Reasons more fully: And that those Reasons will be Satisfactory, and all this overlaid with Figleaf Protestations of Affection, and how near that Family is to her Heart: I presume, they hope, this Expedient will obstruct the Duke, and incline him to stay to hear, what this noble Envoy has to say: When this is gained, the Noble Envoy shall not make too much Haste, and so they will gain Time for the Sessions of Parliament to dispatch the Money-Bills, and draw near

to

to an End ; and then they'll tell the Court of *Hanover*, that the Session of Parliament is very near Rising, and therefore it will be needless for the Duke of *Cambridge* to give himself the Trouble of coming to Appear a few Days in Parliament ; and the rather because the Business of the Sessions is in effect finished : At this rate they will talk, and there is no doubt, but they'll drive on the Money-Bills thro' the Houses, and then put an End to the Parliament, and then smile at the Duke's Writ of Summons : And as soon as this is done, the *French* King, who lies Hush Sitting the Parliament, will march down his Army to *Dunkirk* and *Calais*, and tell us what was the Meaning of his Preparations in *Lorrain*.

In my Judgment, the Ministry might as well send an Envoy, to desire the House of *Hanover* not to Accept the Crown : For, in Fact, that is the plain Sense and Meaning of any manner of Delay. We *Hanoverians* are in Agonies, lest our Illustrious Family should be thus Deluded : If they Harken or Delay, they are undone.

I cannot conclude, without crying out, Haste, and all is Safe ; or else all is lost, or at least, in Danger of being so. I ask
Pardon

Pardon for what is said here amiss, doubting there is much of it so. I am,

Your Faithful Humble Servant,

R. A.

P O S T S C R I P T.

My Project, of Demanding the Writ, appears Successful : The Door is open'd in a Legal and Irresistable Method : It has, and will more and more Unmask the Ministry.

It was commonly whispered amongst the *Pretender's* Faction, that the Monies in the Publick Funds would be more secure, if the *Pretender* were King, than if the *Electors* were King, because (as they say) the *Electors* cannot come without an Army, but the *Pretender* might. This verifies my Conjecture, That they would have the *Pretender* here Incognito. This exposes the Meaning of the Motion, to bring in a Bill to prevent Landing of Foreign Troops ; but the Duke, having his Writ, has broke all their Measures.

Letter

Letter from R. Acherley, then at Hanbury-Hall in Worcester-shire, August the 11th, 1714, (after the Queen's Death) to Baron Bothmer.

MY LORD,

I Most heartily Congratulate with you, That his Sacred Majesty King George hath in Peace Ascended the Throne of *Great Britain*: Your Excellency is appriz'd of my Endeavours to Secure the Succession, when it was in the Utmost Danger. As to the Matter, that is, Demanding for his Royal Highness the Duke of *Cambridge* the *Writ of Summons*, tho' it had not the Wished Effect, yet it had a Good Effect; for if one observ'd the *Desperation* of the Letters sent to the Court of *Hanover*, and the *Animosities* that follow'd amongst the Ministers, one may well conclude, that That Demand operated, and introduced a Sort of Distraction in the Ministers, and probably set those *Humours afloat*, which, in a seasonable Time, open'd the Door for His Majesty's peaceable Entrance and Accession to the Throne: I hope therefore your Excellency will not think me troublesome or impertinent, *if I desire his Majesty (now he is come into his Kingdom) to Remember me his true* Servant.

I humbly

I humbly intreat your Excellency's Favour to *Remind* his Majesty of me, and to Ask for me, the small Matters I aim at : I will specify 'em to Doctor *Brandsbagen* by the Time his Majesty arrives.

I know your Excellency is crowded with Suitors, and therefore I humbly ask Pardon for your being thus troubled and interrupted by,

My LORD,

Your most Obedient Humble Servant,

11 JY. 63

R. ACHERLEY.

A Letter

*A Letter from Baron Bothmer to R. Acherley.*à Londres ce $\frac{1}{2}$ ^e me Aoust.

MONSIEUR,

JE vous suis sensiblement obligé de la part que vous prenés aux changements que Dieu a envoye icy, & des Compliments que vous avés la bonté de me faire la dessus.

J'espere que nous aurons bientôt le Roy & le Prince icy.

Si vous voulés prendre la peine de me faire connoître per Monf. *Brandshagen* vos Intentions comme vous en avés le dessin, je me feray un Plaisir de les seconder auprès de sa M. Estant avec tout le Zele possible,

MONSIEUR,

*Votre tres humble,**& tres obeissant Serviteur,*

BOTHMER.

N. B. His late Majesty King *George the First* and the Prince Royal Landed at *Greenwich* on the 18th of *September* 1714, where Mr. *Acherley* attended, hoping he merited at least that easy and common Favour as others received, to be Introduced and Recommended to his Majesty: But Baron *Bothmer* neither did nor wou'd then, or at any time after, Introduce or Recommend him to his Majesty, altho' his Lordship was then, and often afterwards, Importun'd so to do.

IN ENGLISH.

SIR,

I Am sensibly oblig'd to you for the Part you have taken towards the Changes which God hath sent here, and for the Compliments you have the Goodness to make me there-upon.

I hope we shall have the King and the Prince here very soon.

If you will take the Pains to let me know by Mr. Brandshagen your Intentions as you design, I will make it a Pleasure to second them to his Majesty. Being with all possible Zeal,

SIR,

Your most humble,
and most obedient Servant,

BOTHMER.

N. B. Mr. Acherley (after the Queen's Death) in order to strengthen his Applications to the King, wrote to Monsieur Leibnitz, Requesting him to write to, and Remind his Majesty of his Services. In Answer to which, Monsieur Leibnitz wrote two Letters to Mr. Acherley, as follow.

One of them was directed to Mr. *Acherley*
in these Words :

Hanover ce 28. de *Septembre*, 1714.

MONSIEUR,

JE ay reçu à *Vienne* l'Honneur de votre Lettre, écrite avant la Morte de la Reigne; les Affaires ayant changé de Face tout d'un Coup, & le Danger imminent étant passé heureusement, Graces à Dieu.

On ne doit pas laisser d'être obligé aux Personnes qui ont montré leur bonnes Intentions pendant le Danger, & le Incertitude, & comme quelques-unes de vos Sages Reflexions ont été vües autres fois du Roy & des Ministres, je ne dout point qu'on ne s'ensouviennne, & j'aurois soin dans l'Occasion d'en faire Convenir.

Maintenant la Moderation, & l'Attention aux Loix, & aux Inclinations de la Nation seront necessaires à la Cour, & elles sont conformes aux Intentions du Roy.

J'espere que sa Majeste aura des bonnes Informations y à fin qu'elle puisse exercer ses Vertues soivant le gres des Peuples, des Personnes aussi-bien Intentionées & ainsi eclairées que vous y peuvent contribuer. Je suis avec Zele,

MONSIEUR,

Votre tres humble,

& tres obeissant Serviteur,

LEIBNITZ.

In

IN ENGLISH.

Hanover, Septemb. 27 1714.

SIR,

I Receiv'd at Vienna the Honour of your Letter, written before the Death of the Queen; Affairs having changed their Face all on a sudden, and the Imminent Danger hath happily passed over, Thanks to God.

Yet they (meaning the Royal Family) cannot avoid being oblig'd, to the Persons, who have shew'd their good Intentions, (meaning their Efforts) whilst the Danger and the Heat of the Contention lasted; and as some of your sage Advices have been formerly seen by the King, and his Ministers, I don't doubt, but they will Remember (meaning Remember to Recompence) them; and I shall, upon all Occasions, take Care to put them in Mind.

At present, Moderation and a due Regard to the Laws and to the Inclinations of the Nation, will be necessary at Court, which are agreeable to the King's Intentions.

I hope his Majesty will have good Advices, that he may exercise his Vertues, to the Satisfaction of the People; and that Persons so well Affected and Intelligent as you, will contribute thereto. I am, with great Zeal,

SIR,

Your most humble,
and most obedient Servant,

LEIBNITZ.

The other of those two Letters was directed to Mr. *Acherley*, in these Words.

MONSIEUR,

IL y a deux Ans que j'ay été absent de la Cour d'*Hanover*, ce pendant ayant fait presenter vos Papres à Roy, J'ay appris qu'on les a trouvé raisonnables & bien fondes.

Mais je ne sçavois pas que vous avies Conseillé la Demande du Writ.

Comme elle a été faite sans Ordre du Roy ; & qu'on m'a dit que sa Majesté n'en à pas été entierment contente ;

Je ne faurois dire s'il sera bon ou non que vous vous fandiés-là dessus auprès de ce Monarque ; mais cela ne fauroit être desagreable à Monseigneur le Prince Royal.

Comme Mons^r. Baron *Schutz* sera revenu en *Angleterre* avec le Roy, il pourra vous rendre bon Tésmoinage auprès de Monsieur de *Bernsdorf* & de autres Ministres ; mais il sera utile particulièrement que vous fassiez connoissance avec M.de *Robethon* ; & auprès de lui il sera peut être mieux de ne point nomme.

Je

IN ENGLISH.

SIR,

IT is two Years that I have been absent from the Court of Hanover, nevertheless having caused your Papers to be presented to the King, I have been inform'd, they have been found rational and well founded.

But I did not know that you had advised the Demand of the Writ.

As that Demand was made without the King's Order; and they have told me, that his Majesty was not intirely content with it;

I cannot tell whether it will be proper or not for you to insist upon that Particular to the King, but it cannot be disagreeable to my Lord the Prince Royal.

As Baron Schutz will come into England with the King, he may give you his Testimony to Monsf. Bernsdorf and the other Ministers; but it will be necessary for you to become acquainted with Monsf. Robethon; but to him it will be better for you not to name me.

Je doute q'il soit à propos que j'écrive immédiatement au Roy en votre Faveur, & il suffira peut être que je vous recommande particulièrement à M. le Baron de *Bothmer*, comme je fais par la cy jointe.

Monsieur *Brandshagen* pourra être votre Interpretre auprès de luy, & j'espere que ce ne fera pas sans effect.

Je vous ay écrit par la Poste precedente, & j'ay enfirmé la Lettre d'ans celle de M. *Brandshagen*: Mais n'ayant pas encore écrit à M. de *Bothmer* sur votre personne, je le fais presentement, & je vous envoie la Lettre, a fin que vous la puissiez rendre; & ce pendant, je suis avec Zele,

MONSIEUR,

Hanover, ce
2 Octob. 1714.

Votre, &c.

LEIBNITZ.

Note the Change. This Minister never doubted to write to, and shew to his Master Mr. *Acherley's* Letters in Time of Danger; but now doubts whether it was fit to do so much as put his Majesty in Mind, of the Servant or the Service after the Danger was over.

Note. Mr. *Acherley* never saw the Letter here mentioned to be inclosed; but Mr. *Brandshagen* told him, he had deliver'd it to Baron *Bothmer*: But whatever that Letter contain'd, it prov'd to no Purpose.

I question

I question whether it would be to the Purpose for me to write immediately to the King in your Favour; and it will be sufficient that I recommend you in a particular manner to Monsieur the Baron de Bothmer, as I do by the Letter you will receive with this.

Monsieur Brandshagen may be your Interpreter to him, and I hope it will not be to no Purpose.

I wrote to you by the last Post, and inclos'd my Letter in that to Monsieur Brandshagen; but not having as yet written concerning you to Monsieur de Bothmer, I do it now, and send you the Letter that you may deliver it your self; and in the mean time, I am, with great Zeal,

SIR,

Yours, &c.

LEIBNITZ.

Note also. About this Time, in October 1714, it began to be Disown'd, that Mr. Acherley was the true or only Adviser of the Demand of the *Writ of Summons*: And on the contrary, it was suggested, that others as well as he were concern'd in that Matter, (meaning, as is presum'd, those Friends who, in April 1714, Assisted and Encouraged Baron Schutz to Demand the *Writ* of Lord Harcourt instead of the Queen). This Pretence put Mr. Acherley upon Requesting of Monsieur Leibnitz a Testimony of that Advice which he (Mr. Acherley) gave on the 20th of October 1713, before-mention'd. In Answer to which, Monsieur Leibnitz was so good, as to send the two Letters following.

One of those Letters was directed to Mr.
Acherley, and was thus.

MONSIEUR,

VOUS verrez par la cy jointe à M. le Baron de *Bothmer*, que je n'ay point voulu manquer de vous rendre le Tésmoinage que vous m'avez demandé: Et je prie même le Ministre d'y vouloir joindre le sien, & de vous faire rendre la Justice que vous merites (Monsieur) selon mon Jugement.

Je parle aussi de l'Avis que vous avez donné; autrefois dans la Lettre que j'écris maintenant à son Excellence M. le Baron de *Bernsdorf*.

Je vous envoie sub Sigillo volante, ce que j'écris à M. de *Bothmer*, a fin, que vous puissies le luy rendre ou faire rendre. Au reste je suis, avec Zele,

MONSIEUR,

Hanover, ce 7
Decemb. 1714.

Votre, &c.

LEIBNITZ.

*Directed to Roger
Acherley, at London.*

In

IN ENGLISH.

SIR,

YOU will see by the Inclos'd to Baron Bothmer, that I would not fail to render that Testimony concerning you which you demanded: And I have also entreated that Minister to join with me therein, and to do you that Justice (Sir) which you, in my Judgment, deserve.

I have also mention'd the Advice you gave formerly in the Letter; I now write to his Excellency the Baron de Bernsdorf.

I send you, with a flying Seal, that Letter which I have written to Mons. de Bothmer, to the End you may either deliver it or send it to him. I remain, with Zeal,

SIR,

Yours, &c,

LEIBNITZ.

The other Letter was Directed to Baron
Bothmer, and was thus :

Hanover, 7 Decemb. 1714.

MONSIEUR,

JE ne puis refuser a Monsieur *Roger Acherley* le Témoignage qu'il me demande, d'avoir conseille des le 20 d'*Octobr.* 1713, que Monfigneur le Duc de *Cambridge*, (comme on l'appelloit alors) feroit bien de se disposer a venir en *Angleterre*, & de demander un Writ pour cet effect, a la Session fuivante du Parlement.

Il m'envoya alors un Memoire la deffus, par Monsieur *Brandshagen* : Et comme je me trouvoy a *Vienna*, j'envoya ce Memoire a *Hanover*, qui fera venu fans doute dans les manis de Messieurs les Ministres ; & peut etre, auffi, en aurat on fait rapport au Maistre.

Mais comme il me mande de vous, avoir repeté ces avis, par une Lettre qu'il vous avoit écrite le 9 de *Mars* de l'an. 17 $\frac{1}{4}$, vous pourrés Monsieur luy, en rendre témoignage auffi, & plus efficacement que moy ; & je ne doute point que vous n'y foyes disposé fuivant la Verité & la Justice.

IN ENGLISH:



S I R,

I Could not refuse Mr. Roger Acherley the Testimony he desired, That he advised, on the 20th of October 1713, That the Duke of Cambridge (as he was then called) would think it necessary to come into England, and to demand a Writ for that Purpose, at the approaching Session of Parliament.

He then sent to me a Memorial about it, by Mr. Brandshagen: Which I, being then at Vienna, sent to Hanover, and which, without doubt, came to the Hands of the Ministers; and perhaps, also, it was reported to the Master.

But forasmuch as he tells me, That he had repeated the same Advices to you, in a Letter that he wrote on the 9th of March 17¹³/₁₄, you may likewise, and more effectually than I, bear your Testimony, concerning him; and, I doubt not, but both Truth and Justice will dispose you so to do.

It

Il m'a tousjours paru que il avoit non seulement beaucoup de Zele, mais aussi beaucoup de Intelligence ; & il me semble, que de telles personnes meritent quelque regard. Au reste, je me recomande a vos bontés, étant entierement,

MONSIEUR,

De votre Excellence

*Le tres humble & tres
obeissant Serviteur,*

LEIBNITZ.

Hanover, ce 7 Dec-
embr. 1714.

Directed thus ;

A son Excellence,

*Monsieur le Baron de Botmar, Ministre de
Estat du Roy pour Hanover, Londres.*

*It has always appeared to me, That he
hath not only much Zeal, but a good Share
of Sense; and, in my Opinion, such Per-
sons merit Distinction. As to what remains,
I recommend myself to your good Graces, be-
ing entirely,*

MONSIEUR,

Your Excellence's

most humble and
obedient Servant,

LEIBNITZ.

POST-



POSTSCRIPT.

AFTER these Sheets were printed, a strange Phænomenon appeared in the *Craftsman* of May the 22d, 1731; discovering, That Mr. *Oldcastle*, who pretends to revive the Spirit of Liberty, was, in Fact, one of those Ministers, in the last four Years of the late Queen's Reign, who wantonly pulled down the National Power, and endeavoured to subvert the Nation's Liberty :

For, throwing off the Vizor, he avows himself to be one of those, who Traduced, and still Traduces, our Heroes, Great *Marlborough* and *Godolphin*: His Words are these; *I know no Obligation of Gratitude or Honour, which he (meaning himself) lay under, to continue in their Administration, when the Measures of it were altered. They might have Reasons, perhaps, good ones, for Altering their Measures: He (meaning himself) cou'd have none, in Point of Honour, for Complying with that Altera-*

Alteration. He came into the World, upon the Foot of a Friend; not as a Creature, of those Great Men; and (asserts) that he came to Court, on the Call of the late Queen, in Opposition to Them; and exerted himself in her Service, when They served her no longer; and did so, because more Allegiance was due to the Prince, than to the Minister.

We all know, The Measures of those Injured Patriots, were, to Debilitate the House of Bourbon, and to Reduce its Power, by Rescuing from it, Spain and the West-Indies; and to Retain such a Part, as would Reimburse the Debts of the Nation; and such a Power, as would Enlarge and Protect Trade and Commerce. And were not those Patriots Just upon Compleating those Measures? We know They pursued that Scheme, so faithfully, so wisely, and so prosperously, that They were come to the very Point of Finishing the Performance.

It is therefore Incumbent on this Gentleman, to shew the Reason, why he could not Continue in such an Administration, as that of Duke Marlborough and Earl Godolphin; and what was that Alteration of their Measures, which he could not Comply with,

with, and which he Disliked, and therefore came to Court, *in Opposition* to them; and when, and at what Period, and what *Instances* they were, in which the Duke and the Earl *served the Queen no longer*; and what was that Service, in which this Gentleman, in order to Gratify the Queen, *exerted himself*; and, whether was that Service honourable, faithful, and commendable, or the contrary: And especially, this Gentleman ought to shew, what were the Foundations, of that *Clemency and Goodness*, of His Late Majesty, and of that *Mercy*, His Late Majesty extended to him; if the same were (as he says) Unasked, and Unearned.

His Difficulty, in doing these Things, will be found, when we consider, That His Late Majesty's Sentiments, were far from doing any Thing, that was inconsistent with the National Interest of his Kingdom. The Ministers, therefore, who advised His Majesty, to such a Proceeding, were highly questionable; because, such *Mercy*, Unasked and Unearned, would look too like an Approbation, and would be inconsistent with the Terms of the Constitution: For, in the *First Institution* of this Government, there were established two Sorts of Treason, call'd *Crimina Læse Majestæ*

Majestatis, and *Crimina Læsæ Libertatis*. The first, are too well known, to want an Explanation : The second, are of a National Nature ; because our Kings cannot authorize them to be Committed ; and if Committed, cannot Pardon them : Because, such a Power, would make the Supreme Governor Judge and Party, and, consequently, Absolute. This Sort of Treasons, may be seen, in the Case of King *Henry the Sixth*, who authorized *Michael de la Pole*, Duke of *Suffolk*, to Treat secretly with *France*, and to Deliver up the Town of *Mans*, and the Country of *Main*, to an Enemy ; and to make a Separate Peace, whereby one of *England's* Allies was entirely ruin'd, and another of them almost lost : And in the Case of King *Charles the Second*, who Authorized his Prime Minister, the Earl of *Danby*, to Barter away the National Interest, for a Sum of Money ; meerly to Aggrandize and Increase the Power of the House of *Bourbon* ; and then His Majesty assumed a Power to Pardon the Treason : But that Pardon was declared Void and Illegal. This Gentleman, therefore, was too Learned, to think that any Authority, derived from the late Queen, to Break the National Engagements, to Violate the Publick Faith, or to make a Separation of Forces, or to Reduce *Britain*, to be Inferior

ferior in Power, to the Enemy, &c. cou'd Justify those fatal Proceedings, or the Ministers by whom they were executed : And therefore, he could never imagine that more (or any) Allegiance was due, to execute such destructive and pernicious Orders, be they given by any Prince whatsoever.

If this Gentleman fails, then he may be treated with such Questions as these : Doth he not arraign the Duke of *Marlborough* and Earl *Godolphin*, as Criminals, for Carrying on, against the *French* King, a Victorious War ? Doth he not, in so doing, accuse them, That they, in gaining Victories, and Distressing that Enemy, ceased to serve the late Queen ? Doth he not, in that Assertion, most unjustly assert, That the Queen esteemed that Service best, which would Turn the Tide of Victory ; which Service, the Great, the Victorious, the Faithful, *Marlborough* and *Godolphin*, would never comply with, nor serve the Queen, in such a Proceeding ? Doth not this Gentleman say, That he, in doing that Service, exerted himself ? Doth this Gentleman commend the Queen's Memory, in this Assertion, or the contrary ? Doth not this Gentleman, Justify the Breach of the National Engagements, and of the Publick

Publick Faith? Doth he not avow the dishonourable Secreting and Denying a Separate Treaty; the fatal Separation of the Forces; and the Giving up *Spain* and the *West-Indies*, to Aggrandize and Augment the Power of the House of *Bourbon*? Doth he not avow the Affront put upon the Duke of *Cambridge*, in Banishing his Agent, Baron *Schutz*, from Court? Doth he not Justify the Imperious and Illegal Letters and Menaces sent to the Court of *Hanover*, touching the Demand of the Writ of Summons, for the Duke of *Cambridge*? Doth not this Gentleman say, in Effect, That if these Practices, were to be done again, he (as being Things, in his Mind, just and commendable) would exert himself, in doing them over again? Doth not this Gentleman condemn that Parliament, as Unjust, which Impeached and Condemned him, for being ———? Doth not this Gentleman Triumph in ———, and Dare the Nation, to do it self Justice? Can the Nation (if any Spirit of Liberty is yet living) sit still, and tamely suffer itself to be so Insulted, and its own Ruine first Effected, and then Openly Avowed to their Faces, by the very Offender?

If Mr. *Oldcastle* take these Questions
amiss, he may please to consider, That
He is the first, since the Queen's Death,
who hath attempted to gratify the *French*,
with placing new Aspersions on the
VICTORIOUS.

ERRATA.

Page 5. for 1 *Institute*, read 4 *Institute*. P. 136. l. 26.
for *Cessation*, r. *Cession*. P. 137. l. 6. for *Cessation*,
r. *Cession*. P. 169. l. 21. for *done had*, r. *had done*.

F I N I S.
11 JY 63



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